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see page 39

North Adams Mass
Revised ordinance



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See page 39
CHARTER
OF THE



CITY OF NORTH ADAMS

*See Other
Charters*

CHARTER

ACTS OF 1895.

CHAP. 148

(See Amendments following this Act, viz: 1897, Chapter 76;
1904, Chapter 254; 1909, Chapter 241.)

AN ACT

TO INCORPORATE THE CITY OF NORTH ADAMS

Be it enacted, etc., as follows:

TITLE 1. MUNICIPAL GOVERNMENT.

SECTION 1. The inhabitants of the town of North Adams shall, in case of the acceptance of this act by the voters of said town as hereinafter provided, continue to be a body politic and corporate, under the name of the City of North Adams; and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now pertaining to and incumbent upon the said town as a municipal corporation.

*City of North Adams
incorporated*

SECTION 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall, except the affairs of public schools, be vested in an executive department, which shall consist of one officer, to be called the mayor, and in a legislative department which shall consist of a single body, to be called the city council, the members whereof shall be called councilmen. The executive department shall never exercise any legislative power, and the legislative de-

*Government to be
vested in mayor
and city council,
etc.*

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partment shall never exercise any executive power, except as herein otherwise provided.

Division into wards.

SECTION 3. The territory of said city shall first be divided into seven wards, as hereinafter provided, but said number, upon any subsequent division of said city into new wards, may be increased by an affirmative vote of a majority of the members of the city council, passed previous to and in the year of such division.

TITLE 2. ELECTIONS AND MEETINGS.

Municipal election
and municipal
year.

SECTION 4. The municipal election shall take place annually on the third Tuesday of December, and the municipal year shall begin on the first Monday of January following. All meetings of the citizens for municipal purposes shall be called by warrants issued by order of the city council, which shall be in such form, and be served and returned in such manner and at such times, as the city council may by ordinance direct.

Mayor, councilmen,
etc., to be elected
by ballot, etc.

SECTION 5. At such municipal election the qualified voters shall give in their votes by ballot in the several wards for mayor and councilmen, and for the members of the board of assessors, board of trustees of the public library, and of the school committee then to be elected, and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office; and whenever two or more persons are to be elected to the same office the several persons, up to the number required to be chosen, receiving the highest number of votes shall be deemed and declared to be elected. If it shall appear that there is no choice of mayor, or if the person elected mayor shall refuse to accept the office, or shall die before qualifying, or if a vacancy in said office shall occur subsequently and more than three months previous to the expiration

of the municipal year, the city council shall forthwith cause warrants to be issued for a new election, and the same proceedings shall be had in all respects as hereinbefore provided for the election of mayor, and shall be repeated until the election of a mayor is completed. If the full number of members of the city council has not been elected, or if a vacancy in the office of councilman shall occur subsequently and more than six months previous to the expiration of the municipal year, the council may forthwith elect some person or persons to fill the vacancy or vacancies until the next annual municipal election. The board of assessors shall consist of three persons who shall be elected in the manner provided in section forty-one for the election of trustees of the public library.

SECTION 6. All meetings for the election of national, state, county and district officers shall be called by order of the city council, in the same manner as meetings for municipal elections are called.

Meetings for election of national, state, etc., officers.

SECTION 7. The city council may, when no convenient wardroom for holding the meetings of the citizens of any ward can be had within the territorial limits of such ward, appoint and direct, in the warrant for calling any meeting of the citizens of such ward, that the meeting be held in some convenient place within the limits of any adjacent ward of the city; and for such purpose the place so assigned shall be deemed and taken to be a part of the ward for which the election is held.

Ward meetings may be held in adjacent ward.

SECTION 8. General meetings of the citizens qualified to vote may from time to time be held according to the right secured to the people by the constitution of this Commonwealth, and all such meetings may, and upon the request in writing of

General meetings of qualified voters.

fifty qualified voters setting forth the purposes thereof, shall be duly called by the city council.

TITLE 3. LEGISLATIVE DEPARTMENT.

City council, election, term, etc.

SECTION 9. The members of the city council shall consist of twenty-one councilmen at large, who shall be elected by the inhabitants of the city as follows: At the first municipal election held under this act twenty-one members at large of the council shall be elected by the qualified voters of the entire city, seven to serve for the term of three years, seven for the term of two years and seven for the term of one year, beginning with the first Monday in January then next ensuing; and thereafter seven members at large of said city council shall be elected in like manner at each annual municipal election, to serve for the term of three years beginning with the first Monday in January next ensuing, in place of the members at large whose term then expires. At the first municipal election no voter shall vote for more than five of the councilmen to be elected for each term, that is to say, not more than fifteen in the aggregate on one ballot, and the seven having the highest number of votes for each term shall be declared elected. At all municipal elections subsequent to the first election no voter shall vote for more than five of the seven councilmen to be elected at an annual election on one ballot, and, the seven having the highest number of votes shall be declared elected. The councilmen shall hold office for three years, except as herein otherwise provided, beginning with the first Monday in January next succeeding their election, and until their successors shall be elected and qualified. A majority of the board shall constitute a quorum for the transaction of business. In case an election is held to fill a vacancy or vacancies in the council a voter may vote for the coun-

Quorum, etc.

cilman necessary to fill such vacancies in addition to the number above provided.

SECTION 10. The mayor and the councilmen elect shall annually, on the first Monday in January, at ten o'clock in the forenoon, meet and be sworn to the faithful discharge of their duties. The oath shall be administered at their first meeting after the acceptance of this act, by the town clerk, and in subsequent years by the city clerk, or, in his absence, by any justice of the peace, and shall be duly certified on the journal of the city council. In case of the absence of the mayor elect on the first Monday in January, or if a mayor shall not then have been elected, the oath of office may at any time thereafter be administered to him, and at any time thereafter, in like manner, the oath of office may be administered to any member of the council who has been previously absent or has been subsequently elected; and every such oath shall be duly certified as aforesaid.

Oaths of office of
mayor and coun-
cilmen.

SECTION 11. After the oath has been administered to the councilmen present they shall be called to order, at their first organization by the town clerk, and in subsequent years by the city clerk, or in case of the absence of the city clerk, by the oldest senior member present. The council shall then proceed to elect one of their own number president of the council by ballot. If no quorum is present an adjournment shall be taken to a later hour or to the next day, and thereafter the same proceedings shall be had from day to day until a quorum shall be present. If any person receive the votes of a majority of all the members of the council, such person shall be declared chosen president thereof. If on the first day on which a quorum is present no person receives the votes of such ma-

City council, organ-
ization, presiding
officers, city clerk,
etc.

jority they shall proceed to ballot until some person receives the votes of such majority, or an adjournment to the succeeding day is taken, and on such succeeding day a plurality of those voting shall be sufficient for an election. No other business shall be in order until a president is chosen. The president shall be sworn by the town or city clerk, as the case may be, or in case of the absence of the clerk, by any justice of the peace. The council shall then proceed to the choice of a city clerk, in the same manner as above provided for the choice of president. The president may be removed from the presidency of the council and the clerk may be removed from office by the affirmative vote of two-thirds of all the members of the council, taken by roll call. The president of the council shall have the same right to vote as any other member thereof.

Special meetings of
city council.

SECTION 12. The mayor may at any time call a special meeting of the city council, by causing written notification thereof, together with a statement of the subjects to be considered thereat, to be deposited in the post-office, postpaid, and addressed to the persons to be notified, or left at the usual place of residence of each member of the council, at least twenty-four hours before the time appointed for such meeting.

To determine rules
of its proceedings,
be judge of elec-
tion of its mem-
bers, etc.

SECTION 13. The city council shall determine the rules of its own proceedings and shall be judge of the election returns and qualifications of its own members. In case of the absence of the president the council shall choose a president pro tempore, and a plurality of votes cast shall be sufficient for a choice. The council shall sit with open doors, whether in session as a council or as a committee of the whole, and shall cause a journal of its proceedings to be open to public inspection. The vote of the council

upon any question shall be taken by roll call when the same is requested by at least three members. A majority of the members of the council shall be required to constitute a quorum, but a smaller number may adjourn from day to day. The council shall, so far as is not inconsistent with this act, have and exercise all the legislative powers of towns, and have all the powers and be subject to all the liabilities of city councils, and of either branch thereof, under the general laws of the Commonwealth, and it may by ordinance prescribe the manner in which such powers shall be exercised. They shall receive no compensation for their services as members of the city council or any committee thereof.

Quorum, etc.

SECTION 14. Neither the city council nor any member or committee thereof shall directly or indirectly take part in the employment of labor, the making of contracts, the purchase of materials or supplies, the construction, alteration or repair of any public works, buildings or other property of the care, custody or management of the same, or in the conduct of any of the executive or administrative business of the city, or in the expenditure of public money, except such as may be necessary for the contingent and incidental expenses of the city council; nor in the appointment or removal of any officers, except as herein otherwise provided; but nothing in this section contained shall affect the powers or duties of the council in relation to state aid to disabled soldiers and sailors and to the families of those killed in the civil war.

Not to take part in
employment of
labor, making of
contracts, etc.

SECTION 15.* The city council shall in the month of January choose an auditor of accounts, who shall hold office for the term of one year beginning with the first Monday in February next ensuing, and until

Auditor of accounts.

*Effectuated by Acts of 1905, Chapter 373.

his successor is chosen and qualified. A majority of the votes of all the members of the council taken by roll call shall be necessary for the choice of the auditor of accounts, and he may be removed by the council.

Appropriations, etc.

SECTION 16. The city council shall appropriate annually in the months of March and April the amount necessary to meet the expenditures of the city for the current municipal year. It shall take care that no money is paid from the treasury unless granted or appropriated, and shall secure a just and proper accountability by requiring bonds with sufficient penalties and sureties from all persons entrusted with the receipt, custody or disbursement of money. It shall as often as once in each year, ten days at least prior to the annual election, cause to be published for the use of the inhabitants a particular account of the receipts and expenditures of said city and a schedule of all city property and of the city debt. Any appropriation made by the city council for the erection of a city hall, or for land for a location of such building, shall be subject to the ratification by the legal voters of the city voting in their respective precincts at an annual municipal election. The city council may appropriate money from time to time in aid of the North Adams Hospital, and in return for such appropriations the said hospital shall receive persons for the reception of whom the city may erect, establish and maintain a hospital; but such appropriations shall not exceed in any one year a sum amounting to one-tenth of one per cent. of the valuation of the city for the preceding year.

North Adams Hos-
pital.

City ordinances,
penalties, etc.

SECTION 17. The city council shall have the power within said city to make and establish ordinances and by-laws, and to affix penalties as herein and by general law, provided, without the sanction

of any court or justice thereof: *provided, however,* that all laws and regulations now in force in the town of North Adams shall, until they shall expire by their limitation or be revised or repealed by the council, remain in force. Complaint for the breach of any ordinance or by-law may be made by the mayor or any head of a department or by any resident of the city.

SECTION 18. No vote of the city council granting or bestowing an exclusive franchise of any description to any person or corporation shall be valid unless the same shall be approved by a vote of the qualified voters of the city, voting at large in their respective precincts at the annual municipal election.

SECTION 19. The city council shall not authorize the erection of a schoolhouse, or of any addition thereto, nor pass any appropriation for such purpose, until plans for the same have been approved by vote of the school committee, and such approval has been certified in writing to the council by the chairman of said committee.

SECTION 20. The city council shall establish a fire department for said city, to consist of a chief and of such officers and members as the city council by ordinance shall from time to time prescribe; and said council shall have authority to define their rank and duties and in general to make such regulations concerning the conduct and government of such department, the management of fires and the conduct of persons attending fires, as they may deem expedient, and may fix such penalties for any violation of such regulations or any of them as are provided for breach of the ordinances of said city. The appointment of all the officers and members of such department shall be vested in the mayor exclusively, who shall have authority to remove

Proviso.

Certain votes of city
to be approved by
qualified voters.Plans for school-
houses to be ap-
proved by school
committee, etc.

Fire Department.

from office any officer or member for cause. The chief and officers shall be the firewards of the city.

Fire limits may be established, etc.

SECTION 21. The city council shall have power to establish fire limits within the city, and from time to time change or enlarge the same, and by ordinance they may regulate the construction of all buildings erected within said fire limits, stipulating their location, size and the material of which they shall be constructed, together with such other rules and regulations as shall tend to prevent damage by fire: *provided*, that such rules and regulations shall not be inconsistent with the laws of this Commonwealth.

Proviso.

Police department.

SECTION 22. The city council shall establish by ordinance a police department, to consist of a chief of police and such officers and men as it may prescribe, and make regulations for the government of the department. The appointment of all the members of such department shall be vested in the mayor exclusively, who shall have power to remove any member for cause.

Streets, Highways,
etc.

SECTION 23. The city council shall, with the approval [of the mayor, have exclusive authority and power to order the laying out, locating anew or discontinuing of all streets and ways and highways within the limits of said city, and to assess the damages sustained by any person thereby, and further, except as herein otherwise provided. to act in all matters relating to such laying out, locating anew, altering or discontinuing. Any person aggrieved by the assessment of his damages, or other action of the council under this section, shall have all the rights and privileges now allowed by law in such cases in appeals from decisions of the selectmen of towns.

Majority vote of all
members necessary
for the passage of certain
ordinances, etc.

SECTION 24. In case any ordinance, order, resolution or vote involves the appropriation or expen-

diture of money to an amount which may exceed two hundred dollars, the laying of an assessment or the granting to a person or corporation of any right in, over or under any street or other public ground of said city, the affirmative votes of a majority of all the members of the city council shall be necessary for its passage. Every such ordinance, order, resolution or vote shall be read twice, with an interval of at least three days between the two readings, before being finally passed, and the vote upon its final passage shall be taken by roll call: *provided, however,* that upon and after the written recommendation of the mayor, the city council may pass such ordinance, resolution or vote upon the same day, by a two-thirds yea and nay vote.

Proviso.

SECTION 25. At any meeting of the city council it shall be in order for any member thereof to give written notice, seconded in writing by a majority at least of all the members of the council, of his intention to move at the next meeting thereof, occurring within not less than ten days, a resolution that the mayor be removed for official misconduct or neglect of duty. Such notice shall specify as particularly as possible the acts of misconduct or the instances of neglect of duty complained of, shall be entered at large by the clerk in the minutes of the council, and the clerk shall within two days serve a copy upon the mayor and mail a copy to each of the members of the council at his residence. At such next meeting of the council the mayor shall have the right to speak in his own defence and to be heard by counsel. The vote on the resolution shall be by roll call. If the resolution fails to receive the affirmative votes of three-fourths of all the members of the council it shall have no effect, and shall not be re-introduced during that meeting of the council.

Mayor may be removed from office for official misconduct or neglect of duty.

If it receives the affirmative votes of three-fourths of all the members of the council it shall, upon the recording of such vote, take effect, and the office of mayor shall thereupon become vacant. The council shall there upon order a warrant for a new election for mayor to be issued, and such further proceedings shall be had as are provided in section five of this act in case of a failure to elect a mayor.

Members of council
not to hold other
city offices, etc.

SECTION 26. No member of the city council shall, during the term for which he is elected, hold any other office in or under the city government, have the expenditure of any money appropriated by the council, or act as counsel in any matter before the council or any committee thereof; and no person shall be eligible for appointment to any municipal office established by the council during any municipal year within which he was councilman, until the expiration of the succeeding municipal year.

Certain ordinances,
etc., to be approved
by mayor.

SECTION 27. Every ordinance, order, resolution or vote of the city council, except such as relates to its own internal affairs, to its officers or employees, to the election or duties of the auditor of accounts and any city clerk, to the removal of the mayor or to the declaration of a vacancy in the office of mayor, shall be presented to the mayor for his approval, and like proceedings shall be had thereon as are in such case provided by general laws relating to cities.

Executive powers
vested in mayor,
etc.

TITLE 4. EXECUTIVE DEPARTMENT.

SECTION 28. The executive powers of the city shall be vested solely in the mayor, and may be exercised by him either personally or through the several officers and boards of the city in their departments, under his general supervision and control. In case of a vacancy in any office to which appointment is made by the mayor, he may per-

sonally perform the duties thereof, but he shall not be entitled to receive any salary or pay attached thereto. The mayor shall hold office for the municipal year beginning with the first Monday in January following his election unless sooner removed, and until his successor is elected and qualified.

Term of office.

SECTION 29. The mayor shall have the sole power of appointment to all the municipal offices established by or under this act, unless herein otherwise provided; and he may, except as herein otherwise provided, remove from office by written order any officer so appointed hereunder, for any cause which he shall in his official discretion deem sufficient, which cause he shall assign in his order of removal. Such office shall become and be vacant upon the filing with the city clerk of such order of removal and a service of a copy thereof upon the officer so removed, either personally or by leaving the same at his last or usual place of residence. The city clerk shall keep such order of removal on file, where it shall be open to public inspection.

Appointment and removal of municipal officers.

SECTION 30. Whenever by reason of sickness or other cause the mayor shall be disabled from performing the duties of his office he may designate by writing filed in the office of the city clerk, either the city treasurer, the city clerk, or the city solicitor, to act as mayor, or in case of the failure of the mayor to make such designation, the above mentioned officers in the order above named, then performing the duties of his office, shall act as mayor. Such officer shall during the continuance of such disability have all the rights and powers of mayor, except that he shall not when so acting have the power of removal, unless thereto in any instance authorized by vote of the city council, nor any power of appointment unless such disability of the mayor has continued for a period of thirty days,

By whom duties may be performed in case of disability of mayor.

and then subject to the approval of the city council, nor power to approve or disapprove any ordinance, order, resolution or vote until within twenty-four hours of the time when it would take effect without the approval of the mayor. In case such disability of the mayor continues for a period exceeding sixty days the city council may at any time after the expiration of that period declare a vacancy to exist in the office of mayor.

President of council
to act in case of
vacancy in office
of mayor.

SECTION 31. Whenever there shall be a vacancy in the office of mayor the president of the city council shall act as mayor and possess all the rights and powers of mayor during such vacancy, except that when so acting as mayor he shall not have the power of appointment or removal unless thereto in any instance authorized by vote of the council.

School committee,
election, term, etc.

TITLE 5. SCHOOL DEPARTMENT.

SECTION 32. The management and control of schools of said city shall be vested solely in a school committee, consisting of six members at large, who shall be elected by the inhabitants of the city as follows: At the first municipal election held under this act six members of the school committee shall be elected by the qualified voters of the entire city, two to serve for the term of three years, two for the term of two years and two for the term of one year, beginning with the first Monday in January then next ensuing; and thereafter two members at large of said school committee shall be elected in like manner at each annual municipal election, to serve for the term of three years beginning with the first Monday in January next ensuing, in place of the members at large whose term then expires. The school committee shall at its first meeting in each municipal year, or as soon thereafter as may be, choose a chairman from among its members by

ballot, and the votes of a majority of all the members of the board shall be required in order to elect.

SECTION 33. The school committee shall on the first Monday in June, or as soon thereafter as may be, choose by vote of a majority of its members, but not from their number, a superintendent of schools, who shall be under its direction and control. Such superintendent shall hold office until the first Monday in June next ensuing unless sooner removed, and until his successor is chosen and qualified, and he may be removed at any time by the school committee by a vote of a majority of its members. The school committee shall in case of a vacancy in their number, forthwith notify the city council, and the council shall call a joint convention of the members thereto and of the school committee, and at such convention the vacancy shall, by vote of a majority of all the members of the two bodies, be filled until the end of the municipal year in which the warrant for the next ensuing annual municipal election is issued, and at such election the vacancy shall be filled for the remainder, if any, of the unexpired term, in the same manner as the member whose office is vacant was elected. The school committee shall fix and establish the compensation of all persons employed by them.

Superintendent of
schools, election,
term, etc.

Vacancy on school
committee, etc.

TITLE 6. ADMINISTRATIVE OFFICERS

SECTION 34. There shall be the following administrative officers, who shall be appointed by the mayor and who shall perform the duties by law and hereinafter prescribed for them, respectively, and such further duties not inconsistent with the nature of their respective offices as the city council may prescribe. I.* A board of public works, consisting of three persons, who shall also be overseers of the

Administrative offi-
cers, appointment,
duties, term, etc.

*Amended by Acts of 1897, Chapter 76.

Proviso.

Oaths of office.

poor and commissioners of public burial places. II. A city treasurer, who shall also be the collector of taxes. III. A city solicitor. IV. A chief of police. V.* A chief of the fire department. VI. A board of health, consisting of three persons. VII. A city engineer, who shall also be inspector of buildings. VIII. A city bookkeeper, who shall also be clerk of the board of public works, and shall keep the accounts of all the departments except as herein otherwise provided. The above-named boards and officers shall be appointed on or before the first Monday in February and shall hold their respective offices for the term of one year beginning with the first Monday in February, unless sooner removed, and until their respective successors, or in case of boards, until a majority of the members thereof, are appointed and qualified: *provided, however,* that the appointment of the chief of police shall not be for any specified time, but shall hold good until his death, resignation or removal by the mayor, who shall have power to remove him for incompetency or cause. They shall be sworn or affirmed to the faithful discharge of the duties of their respective offices, which oath or affirmation, or a certified copy thereof, shall be filed in the office of the city clerk. IX. A board of license commissioners, as prescribed in chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety-four. The board of assessors shall be entitled to choose a clerk, who shall not be one of their own number. The board of public works shall appoint a superintendent of outdoor work who shall hold no other municipal office, and a superintendent of the water works, neither of whom shall be of their own number, and who shall severally hold their offices for one year unless sooner removed by said board, and

*Amended by Acts of 1909, Chapter 241.

until their respective successors are appointed and qualified.

TITLE 7. POWERS AND DUTIES OF OFFICERS

SECTION 35. The city clerk shall have charge of all journals, records, papers and documents of the city, attest all warrants, and do such other acts in his said capacity as the city council may require of him. He shall be the clerk of the council and shall keep a journal of all votes and proceedings. He shall engross all the ordinances passed by the city council, in a book provided for that purpose, and shall add proper indexes, which book shall be deemed a public record of such ordinances. He shall perform such other duties as are required by law or shall be prescribed by the council. In case of the temporary absence of the city clerk the president of the council may appoint a clerk pro tempore, who shall be duly qualified.

City clerk, duties etc.

Clerk pro tempore.

SECTION 36. The auditor shall have charge of all revenue and expenditure accounts of the city and shall keep a set of books showing in detail the revenues and expenditures of the city. He shall examine all pay rolls, bills or demands rendered against the city, and all orders or votes of the city council for the payment of money, shall see that they have been incurred with due authority, that they are properly approved by some person authorized thereto, and that the clerical computations are correct. He shall see that vouchers are prepared in proper form, and that the same are duly recorded and distributed to their proper account. If he approves of a bill, pay roll or demand, he shall endorse it with his certificate of approval and shall cause an abstract of the same to be entered on a book kept for that purpose, and shall pass it to the treasurer for payment. He shall perform such

Auditor, duties, etc.

Auditor pro tempore.

Board of public works, powers, duties, etc.

other duties as from time to time shall be assigned him by the city council. In case of the disability or absence of the auditor the president of the council shall appoint an auditor, *pro tempore*, who shall be duly qualified.

SECTION 37.* The board of public works shall exercise the powers and be subject to the duties prescribed for boards of overseers of the poor by the laws of the Commonwealth. The board of public works shall have cognizance, direction and control:—
(a) Of the construction, alteration, repair, care and lighting of streets, ways and sidewalks. (b) Of the construction, alteration, repair, and care of public buildings; except that the care, construction, alteration and repair of all school buildings shall remain under the control of the school committee. (c) Of the construction, alteration, repair, and care of public sewers and drains. (d) Of the construction, alteration, repair, care and maintenance of public bridges. (e) Of the laying out and caring for public burial places and public parks, and of all work in or upon the same. (f) Of the construction, extension, alteration and repair of the public water works. (g) Of the care, superintendence and management of the public grounds belonging to said city, except such grounds as are under the control of the school committee, and of the shade and ornamental trees standing and growing therein. (h) Of the supervision of fire-alarm, electric light, power, telephone, telegraph and trolley wires, and electric light, telegraph and telephone poles and gas pipes. The said board may require that no person or corporation authorized by the city council to dig up any public street or sidewalk in said city shall begin such digging before furnishing to such board of public works security satisfactory to them to re-

*Amended by Acts of 1897, Chapter 76.

store such street or sidewalk to its former condition. The said board shall also, except as herein otherwise provided, have, exclusively, the powers and be subject to the duties, liabilities and penalties which may be by law given to or imposed upon road commissioners of towns.* They shall as overseers of the poor appoint a city physician.

To have powers, etc.
of road commis-
sioners.

To appoint a city
physician.

SECTION 38. The city treasurer shall collect all the water rents and charges and all moneys due the city, and shall receive, have the custody of, and pay out all moneys, upon the certificate of the auditor, and cause an accurate account of the same to be kept in proper bookkeeping form, or such form as the city council may prescribe. He shall make to the council, annually or oftener, at such time or times in each year as it shall prescribe, a full and detailed statement of the receipts and expenditures of the city during such portion of the financial year as it may direct, and of the cash balance or surplus; and in every such statement the different sources of the city revenue and the amount received from each, the several appropriations made, the object for which they were made and the amount of moneys expended under each, the money borrowed on the credit of the city, the authority under which each loan was made, and the terms on which the same was obtained, shall be clearly and particularly specified. He shall cause to be reported weekly to the auditor a statement of all the receipts and disbursements in order that the proper entries may be made in the books kept by the auditor. No person who is a bank official or employee shall be eligible to the office of treasurer.

City treasurer, du-
ties, etc.

Certain persons in-
eligible.

*Effectuated by Acts of 1897, Chapter 76.

City solicitor, duties,
etc.

SECTION 39. The city solicitor shall for the salary herein provided perform all legal services in matters in which the city is interested, and attend to all proceedings at law or in equity in which the city is a party, and all claims made to the council. For these purposes he shall have sole charge of all such matters and proceedings. He shall give in writing his legal opinion upon any of the municipal affairs of the city upon the request of the mayor or council, and in addition give his opinion upon the law relating to the municipal affairs in any department upon request made by the head of such department.

City engineer, du-
ties, etc.

SECTION 40. The city engineer shall give his whole time to the city, and shall have sole charge and control of and shall attend to all the engineering work of the city. He shall, at the request of the board of public works, prepare plans and estimates of any proposed alterations in or construction of public sewers and drains and conduits, streets, sidewalks, water works and other public works. He shall assist the city solicitor as far as possible in defending the city against suits and claims brought against it for damages sustained by reason of any defect or want of repair in any public way, or for any cause whatever. He shall perform such other duties as the city council may prescribe, not inconsistent herewith. As inspector of public buildings he shall have control of the enforcement of the regulations regarding plumbing, and shall perform such other duties as shall be from time to time prescribed by law and the ordinances of the city council.

Trustees of public
library, election,
term, etc.

SECTION 41. The trustees of the public library shall consist of three members at large, who shall be elected by the inhabitants of the city as follows: At the first municipal election held under this act

one trustee shall be elected to serve for the term of three years, one for the term of two years and one for the term of one year, beginning with the first Monday in January then next ensuing, and thereafter one trustee at large shall be elected in like manner at each annual municipal election, to serve for the term of three years beginning with the first Monday in January next ensuing, in place of the trustee at large whose term then expires. The trustees of the public library shall have the care and management of the public library.

SECTION 42.* The auditor shall also be the city almoner, and shall keep a record of the settlements of all paupers or persons who are or may become a city charge, and shall, under the direction of and by the authority of the overseers of the poor, relieve the wants of such paupers outside the almshouse as may be necessary and proper. He shall, as aforesaid, see that paupers who are chargeable to other cities and towns are maintained by such cities and towns at their own expense, and that the city shall be reimbursed for outlays made for the paupers chargeable to the Commonwealth or other cities or towns. He shall, under the direction of the overseers of the poor, report all cases needing legal attention to the city solicitor, and shall furnish him with all the information possible in controversies arising over pauper settlements or otherwise. He shall perform such other duties as the overseers of the poor may from time to time direct.

Auditor to be city
almoner, etc.

SECTION 43. All city officers not hereinbefore mentioned shall perform such duties as are or may

Duties of certain city
officers.

*Amended by Acts of 1897, Chapter 76.

be from time to time prescribed by law, and such other duties, not inconsistent herewith or with general laws, as the council may from time to time prescribe.

Administrative
boards, etc., may
appoint and dis-
charge subordi-
nates, etc.

Contracts for sup-
plies, etc.

To be accountable at
all times to the
mayor.

Record of official
transactions to be
kept.

SECTION 44. The administrative officers and boards above-named in this title, and all administrative officers and boards hereafter established by the city council and not coming within the department of any officer or board so above-named, shall have the power, except as herein otherwise provided, to appoint or employ, and to remove or discharge, all officers, clerks and employees in their respective departments. Such appointment shall not be for any specified term, but shall hold good until removal or discharge. Orders of removal shall state the reason thereof and shall be entered upon the records of the officer or board making the same, and removals shall take effect upon the filing of a copy of such order with the city clerk in a book provided for the purpose and open to public inspection. The above-named administrative officers and boards shall, in their respective departments, make all necessary contracts for work, and for the furnishing of materials and supplies for the city, and for the construction, alteration, repair and care of public works, institutions, buildings and other property; except such property as shall be under the control of the school committee, and shall have, subject to the mayor, the direction and control of all the executive and administrative business of the city. They shall at all times be accountable to the mayor, as the chief executive officer, for the discharge of their duties.

SECTION 45. Every board, and every officer above-named, not a member of a board, shall keep

a record of all official transactions and such record shall be open to public inspection.

TITLE 8. GENERAL PROVISIONS

SECTION 46. The following salaries shall be paid, *Salaries, etc.* viz.:—Mayor, one thousand dollars each year. City clerk,* thirteen hundred dollars each year. Tax collector and treasurer, two thousand dollars each year. City solicitor, nine hundred dollars each year. Members of the school committee, seventy-five dollars each, each year. Members of the board of assessors, *four hundred dollars each, each year. Clerk of the board of assessors, one hundred and fifty dollars each year. City physician, two hundred and fifty dollars each year. Members of the board of health, one hundred dollars each, each year. Chief of the fire department,** three hundred dollars each year. Assistant chiefs of the fire department, one hundred dollars each, each year. Superintendent of the water works, twelve hundred dollars each year. City engineer and inspector of plumbing, eighteen hundred dollars each year. Chief of police and keeper of lockup,* three dollars and a half each day. Captain of police,* three dollars each day. Keeper of the almshouse, seven hundred and fifty dollars each year.*** Members of board of public works, five hundred dollars each, each year. Clerk of the board of public works, nine hundred dollars each year. Superintendent of out-door work, twelve hundred dollars each year. Auditor, one thousand dollars each year. Members of the police force,* two dollars and a half each day. Firemen, hose and hook-and-ladder men,* sixty-five dollars each, each year. The compensation of all persons not employed by boards or heads of departments and not herein

*Changed by vote of the citizens.

**Effect ed by Acts of 1904, Chapter 254.

***Effect ed by Acts of 1897, Chapter 76.

provided for shall be established by the city council, but no new salaried office shall be established except those required by law, nor any increase of salaries made, unless approved by a vote of the citizens at large in their respective precincts at an annual election.

Non residents not eligible to certain offices, etc.

SECTION 47. No person shall be eligible to any of the offices of the city government, except superintendent of schools, chief of police, chief of the fire department, or city engineer, unless he is a citizen and has been a resident of the city for at least two years.

Offices to become vacant for certain causes.

SECTION 48.* Any office established under or by this act shall become vacant if the incumbent ceases to be a resident of the city. The conviction of the incumbent of any such office of a crime punishable by imprisonment shall operate to create a vacancy in the office held by him.

1885, 312, etc., not to apply until Jan. 1, 1900.

SECTION 49. The provisions of chapter three hundred and twelve of the acts of the year eighteen hundred and eighty five and acts in amendment thereof and in addition thereto shall not apply to the city of North Adams until the first day of January in the year nineteen hundred.

To submit estimate of expenses for ensuing financial year, etc.

SECTION 50. The administrative officers and boards above-named shall, annually on or before the first Monday of January, furnish to the mayor an itemized and detailed estimate of the moneys required for their respective departments or offices during the ensuing financial year. The mayor, president of the council and chairman of the board of assessors, shall examine such estimates and shall submit the same to the city council on or before the first day of March, with their itemized and detailed

*Effectuated by the Acts of 1897, Chapter 76.

apportionment, which shall be the appropriations which the several departments and officers may expend during the current municipal year, but said city council at any time prior to May first, of each year, may, subject to the approval of the mayor as provided by law, strike out or decrease, but not increase, any item in said report.

SECTION 51. Every officer of the city shall, at the request of the city council, give it such information in writing as it may require in relation to any matter, act or thing connected with his office or employment or the discharge of the duties thereof.

Officers to give certain information upon request.

SECTION 52. No sum appropriated for a specific purpose shall be expended for any other purpose, and no expenditure shall be made, nor liability incurred, by or in behalf of the city, until an appropriation has been duly voted by the city council sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which are payable out of such appropriation, except in accordance with the written recommendation of the mayor to the city council, approved by the yea and nay vote of two-thirds of the council: *provided, however,* that, after the expiration of the financial year and until the passage of the annual appropriations, liabilities payable out of a regular appropriation to be contained therein may be incurred to an amount not exceeding one-third of the total of such appropriation for the preceding year. Every bill, pay-roll or other voucher covering an expenditure of money shall be approved by the signatures, on the back of such bill or voucher, of the majority of the board or committee having control of, or incurring such expenditure, and after such approval such bills, pay-rolls or vouchers shall be turned

Appropriations and expenditures.

Proviso.

Financial year.

over to the auditor. The financial year shall begin with the first day of December in each year.

Civil service.

SECTION 53. Nothing herein contained shall affect the enforcement of the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, being "An act to improve the civil service of the Commonwealth and the cities thereof," and acts in amendment thereof and in addition thereto, or of the rules made by the commissioners appointed thereunder; and the city council shall make sufficient and proper appropriations for the carrying out and enforcement of said act and such rules in said city.

Proposals for supplies, etc.

SECTION 54. Whenever mechanical or other work is required to be done, or supplies are required for the city, at a cost amounting to five hundred dollars or more, the board or committee having the matter in charge shall invite proposals therefor by advertisements in not more than two newspapers published in said city, such advertisements to state the time and place for opening the proposals in answer to said advertisements, and reserving the right to said board or committee to reject any or all proposals. Every proposal for doing such work or making such sale shall be accompanied by a suitable bond, or certificate of deposit, for the faithful performance of such proposal, and all such proposals shall be kept by the officer or board inviting the same, and shall be open to public inspection after said proposals have been accepted or rejected.

Certain contracts to be approved by mayor, etc.

SECTION 55. All contracts made by any department of the city shall, when the amount involved is five hundred dollars or more, be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor is

affixed thereto. All such contracts shall be accompanied by a bond with securities satisfactory to the board or committee having the matter in charge, or a deposit of money or other security for the faithful performance of such contracts; and such bonds or other security shall be deposited with the city auditor until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his or their bond, and the officer or board making the contract, with the approval of the mayor affixed thereto.

SECTION 56. No loan except such as may be incurred in anticipation of taxes shall be made except upon and after the written recommendation of the mayor, made to the council and passed by two-thirds yea and nay vote. All bonds and notes issued by the city shall be signed by the treasurer and countersigned by the mayor, and any coupons attached thereto shall bear the signature of the treasurer either in the original or a fac simile.

Loans, bonds, notes,
etc.

SECTION 57. The board of public works shall fix and establish the prices or rents for the use of water, which shall not be made less in any instance than the prices and rents now established by the prudential committee of the North Adams Fire District, until the bonded indebtedness now or hereafter created by said district or city for the purpose of supplying the inhabitants of said district or city with pure water shall have been paid; and the income received therefrom, in each year, after deducting all expenses and charges of distribution of such year, shall be applied as follows: First, to the payment of the interest on the debts and loans now or hereafter incurred by the said city and by the North Adams Fire District for the purpose of supplying

Board of public
works to establish
prices, etc., for the
use of water.

Income to be applied
to payment of
loans, etc.

said city and said district and the inhabitants thereof with water, and of such part of the principal sum thereof as shall become due in such year; second, after paying such interest and principal sums the residue of such income shall be used to supply the city and the inhabitants thereof with pure water in the discretion of said board, and any balance of such residue not so used shall be paid into the treasury of the city for general city purposes. As long as there shall be any debts of the city that shall have been incurred in supplying said district or said city, or the inhabitants of either with water there shall be raised each year by taxation a sum which, together with the said income, shall be sufficient to pay the interest on all such debts, and such part of the principal sum as shall become due in such year.

Debts, etc., in excess
of income to be
raised by taxation.

Division of territory
into wards, etc.

SECTION 58. Upon an acceptance of this act, as herein provided, the selectmen of said town shall forthwith divide the territory thereof into seven wards, so that the wards shall contain as nearly as may be consistent with well defined limits to each, an equal number of voters, and they shall designate the wards by numbers. They shall, for the purpose of the first municipal election to be held thereunder, which shall take place on the third Tuesday of December next succeeding such acceptance, provide suitable polling places in the several wards, and give notice thereof, and shall at least ten days previous to such third Tuesday in December appoint all proper election officers therefor, and they shall in general have the powers and perform the duties of the mayor and board of alderman of cities, under chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three and acts in amendment thereof and in addition thereto, the provision of which shall so far as appli-

cable apply to said election; and the town clerks shall perform the duties therein assigned to city clerks. The registrars shall cause to be prepared and published according to law, lists of qualified voters in each of the wards established by the selectmen.

SECTION 59. All laws relating to the town of North Adams when this act shall be accepted as herein provided, shall, until altered, amended or repealed, continue in force in the city of North Adams, so far as the same are not inconsistent herewith.

Certain laws to continue in force.

SECTION 60. All special laws heretofore passed concerning the fire district in the town of North Adams, which shall be in force in said fire district when this act shall be accepted, as herein provided, shall, so far as the same are not inconsistent herewith, be extended to and continue in force in the city of North Adams until altered, amended or repealed.

Certain special laws to continue in force.

SECTION 61. Upon the first day of January next after the acceptance of this act, as herein provided, the North Adams Fire District in said town shall cease to exist, and all the property, powers and privileges of the said district shall vest in the city of North Adams, and all the debts, duties and liabilities of the said fire district shall become the debts, duties and liabilities of the said city.

Property, etc., of fire district to vest in city.

SECTION 62. The passage of this act shall not effect any right accruing or accrued, or any suit, prosecution or other legal proceeding pending at the time when this act shall go into operation, and no penalty for forfeiture previously incurred shall be affected thereby. All persons holding office in said town or in fire district of said town at

Pending legal proceedings not affected, etc.

the time this act shall take effect shall continue to hold the same, notwithstanding the passage thereof, until the organization of the city government hereby authorized shall be effected, and until the successors of such officers shall be respectively elected or appointed and qualified.

Selectmen to notify
persons first elect-
ed, etc.

SECTION 63. The selectmen shall notify the persons elected at such first election, and shall provide and appoint a place for the first meeting of the mayor and city council on the first Monday in January next ensuing; and shall by written notices left at their respective places of residence at least twenty-four hours prior to such meeting notify thereof the mayor-elect and councilmen elect, who shall immediately proceed to organize and carry into effect the provisions of this act, which shall then have full force and effect. The selectmen shall, in like manner, appoint a place and time for the first meeting of the school committee, and notify the members thereof. Nothing herein shall affect the annual meeting in said town for the election of national, state, district and county officers, which may be held next after the acceptance thereof.

Meetings for sub-
mission of question
of acceptance.

SECTION 64. The question of the acceptance of this act may be submitted to the legal voters of said town at any time within two years after the passage thereof at an annual meeting or any meeting called for that purpose, except in the months of November and December. At such meeting the polls shall be open not less than eight hours, and the vote shall be taken by ballot in accordance with the provisions of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three and acts in amendment thereof and in addition thereto, so far as the same shall be applicable, in answer to the question:—"Shall an

act passed by the general court in the year eighteen hundred and ninety-five, entitled 'an act to incorporate the city of North Adams,' be accepted?" and the affirmative votes of a majority of the voters present and voting thereon shall be required for its acceptance. If at any meeting so held this act shall fail to be thus accepted, it may, at the expiration of three months from any such previous meeting, be again thus submitted, but not after the period of two years from the passage thereof.

SECTION 65. So much of this act as authorizes the submission of the question of its acceptance to the legal voters of said town shall take effect upon its passage, but it shall not take further effect unless accepted by the legal voters of said town as herein provided. [Approved March 22, 1895.]

When to take effect.

ACTS OF 1897.

CHAPTER 76.

AN ACT

TO ABOLISH THE BOARD OF PUBLIC WORKS OF THE CITY OF
NORTH ADAMS, AND FOR OTHER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The board of public works of the city of North Adams is hereby abolished, and the powers and duties are now exercised and discharged by said board, except the powers and duties exercised and discharged by the members of the board of overseers of the poor and commissioners of public burial places, shall hereafter be exercised and discharged by one commissioner of public works, who shall be appointed by the mayor without confirmation by the city council, during the current year upon the passage of this act, and thereafter on or before the first Monday in February in each year. He shall hold his office for the term of one year unless sooner removed from office by the mayor in the manner prescribed in section twenty-nine of chapter one hundred and forty-eight of the acts of the year eighteen hundred and ninety-five, and until his successor is appointed and qualified. He shall receive a salary of eighteen hundred dollars each year. A person not a citizen or resident of North Adams may be appointed such commissioner or superintendent of outdoor work.

SECTION 2. The mayor of said city shall appoint without confirmation by the city council of North Adams, during the current year upon the passage of this act, and thereafter on or before the first Monday in February in each year, one overseer of the poor, who shall exercise and discharge all the duties and powers prescribed by the law for overseers of the poor, and shall also be the city almoner of said city and exercise and discharge all the duties

and powers now exercised and discharged by the auditor of said city of North Adams, as city almoner. He shall also be the commissioner of public burial places of said city. He shall hold his office for the term of one year unless sooner removed from office by the mayor in the manner prescribed in section twenty-nine of chapter one hundred and forty-eight of the acts of the year eighteen hundred and ninety-five, and until his successor is appointed and qualified. He shall receive a salary of one thousand dollars each year. The city physician of said city shall hereafter be appointed solely by the mayor.

SECTION 3. The chief engineer of the fire department of said city shall also be assistant inspector of buildings, and as such assistant inspector be under the direction and control of the inspector of buildings. He shall devote his whole time to the city and shall receive a salary of nine hundred dollars each year.

SECTION 4. Anything contained in chapter one hundred and forty-eight of the acts of the year eighteen hundred and ninety-five, so far as it interferes with this act, is hereby repealed.

SECTION 5. This act shall take effect upon its passage. [Approved February 18, 1897.]

ACTS OF 1904.

CHAPTER 254.

AN ACT

RELATIVE TO THE FIRE DEPARTMENT OF THE CITY OF NORTH ADAMS.
Be it enacted, etc., as follows:

SECTION 1. The city council of the city of North Adams may by ordinance establish the salary of the chief of its fire department, and may by ordinance establish fire companies in the outlying districts of the city, to consist of such officers and men as it may determine; and may fix the compensation of the members thereof, which shall not exceed the sum now paid to the other members of the fire department of the city. Such fire companies shall be a part of the fire department of the city and subject to all ordinances

and regulations relating to said fire department. The appointment of the officers and members of such companies shall be vested in the mayor of the city as prescribed by section twenty of chapter one hundred and forty-eight of the acts of the year eighteen hundred and ninety-five.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 3. This act shall take effect upon its passage. [Approved April 22, 1904.]

ACTS OF 1909.

CHAPTER 241.

AN ACT

RELATIVE TO THE TENURE OF OFFICE OF THE CHIEF OF THE FIRE DEPARTMENT OF THE CITY OF NORTH ADAMS.

Be it enacted, etc., as follows:

SECTION 1. The term of office of the chief of the fire department of the city of North Adams shall be three years.

SECTION 2. So much of chapter one hundred and forty-eight of the acts of the year eighteen hundred and ninety-five and of any amendment thereof as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage. [Approved March 31, 1909.]

REVISED ORDINANCES



CITY OF NORTH ADAMS

1909

CITY OF NORTH ADAMS

IN THE YEAR NINETEEN HUNDRED AND NINE

AN ORDINANCE

CONSOLIDATING AND REVISING

THE

ORDINANCES OF THE CITY OF NORTH ADAMS

Be it Ordained by the City Council of North Adams as follows:

CHAPTER I.

ORDINANCES, ORDERS AND RESOLUTIONS.

SECTION 1. This ordinance shall be known as the "Revised Ordinances of 1909," and, so far as its provisions are the same in effect as those of previously existing ordinances, it shall be construed as a continuation of those ordinances; it shall not effect any act done, any right accrued, any penalty incurred, any suit, prosecution or proceeding pending at the time when it takes effect; subject to the said limitations, all ordinances of the city heretofore in force are hereby repealed.

SECTION 2. All by-laws of the city shall be termed ordinances, and the enacting style shall be: Be it ordained by the city council of North Adams, as follows.

SECTION 3. All ordinances shall be recorded, by the city clerk in the order in which they are passed to be ordained, in a

book prepared and kept for that purpose, made of strong linen paper with proper indexes, and strongly bound. Said book shall be lettered "Record of Ordinances, City of North Adams," and shall be preserved in the office of the city clerk subject to public inspection.

SECTION 4. Whenever the city council expresses anything by way of command, the form of expression shall be, *Ordered*; and whenever said board expresses opinions, principles, facts or purposes, the form shall be, *Resolved*.

SECTION 5. Every ordinance, order, resolution or vote that shall require the approval of the mayor shall go into effect from and after the time of its approval, and if not approved by the mayor, or returned by him, then as provided by the charter and the laws of the Commonwealth. All other ordinances, orders, resolutions or votes shall take effect from and after the time of their adoption or passage.

CHAPTER 2.

THE CITY SEAL.

SECTION 1. The seal of the city of North Adams shall be a circle one and three-quarters inches in diameter, having in the center a representation of the Hoosac mountain and the West Portal of the Hoosac tunnel from which issues a train of cars at full speed, in the margin at the upper part the words, "We hold the western gateway," at the lower part the words and figures, "North Adams, Mass. 1895."



SECTION 2. All deeds given by the city shall be sealed with the city seal, and shall be signed and acknowledged in behalf of the city by the mayor.

SECTION 3. The city clerk shall be ex-officio keeper of the city seal, but shall permit the mayor, or any other city officer, to affix the same to any document to which the city seal is required to be affixed.

CHAPTER 3.

CITY TREASURER AND CITY BOOKKEEPER.

SECTION 1. The city treasurer shall give bond to the city with a suitable fidelity insurance company as surety, to the satisfaction of the president of the city council and the city solicitor, in the sum of thirty thousand dollars (\$30,000), that he will faithfully account for and pay over all moneys received by him as treasurer and tax collector, and that he will faithfully discharge and perform each and all of the duties of his office of treasurer and tax collector. The cost of such bond shall be borne by the city.

SECTION 2. He shall cause all books, papers, vouchers and documents under his care, belonging to said city, to be deposited and kept in a fire-proof safe or vault, and shall deliver over to his successor all papers, books, document and property belonging to said office. And he shall render such other services and furnish such information respecting the accounts, finances and payments of or to said city, as the mayor, city council or any committee thereof, may from time to time require.

SECTION 3. It shall be the duty of the treasurer to negotiate all loans that may be made for said city under the authority and sanction of the city council, to collect and receive all the water rents and charges, and all moneys due the city, and shall receive, have the custody of, and pay out all moneys, upon the certificate of the auditor, and cause an accurate account of the same to be kept in proper bookkeeping form, or such form as the city council may prescribe. He shall make to the city council annually or oftener, at such time or times in each year as it shall prescribe, a full and detailed statement of the receipts and expenditures of the city during such portion of the financial year as it may direct, and of the cash balance or surplus: and in every such statement the

different sources of the city revenue and the amount received from each, the several appropriations made, the object for which they were made and the amount of moneys expended under each, the money borrowed on the credit of the city, the authority under which each loan was made, and the terms on which the same was obtained, shall be clearly and particularly specified. He shall cause to be reported weekly to the auditor a statement of all the receipts and disbursements in order that proper entries may be made in the books kept by the auditor.

SECTION 4. The receipt of the treasurer shall be deemed the only sufficient and valid discharge of debts due to said city, provided, however, that the superintendent of the almshouse under the direction of the overseer of the poor, may receive payment for articles sold from the city farm, and shall account therefor with the overseer of the poor, and the said articles shall be particularly stated in the account rendered by said overseer of the poor to the city council. Provided, also, that the superintendent of streets may receive payments for manure and other articles sold by him, when the amount of such sale shall not exceed ten dollars (\$10.00), and may give receipts therefor.

SECTION 5. The treasurer shall proceed without delay to collect all accounts which may be delivered to him for collection by any officer or officers of said city; and he shall faithfully and correctly account for all moneys received by him: and in any case in which he is unable to obtain an immediate settlement of an account, he shall report the same to the mayor and council and follow such directions as they may prescribe. He shall pay no bill, pay roll or demand, unless endorsed with the approval of the auditor and shall pay no draft drawn on the treasurer against any particular fund, or chargeable to any particular appropriation, for more than the balance remaining to the credit of such fund or appropriation, and whenever any appropriation is exhausted, shall give immediate notice to the mayor and the committee on finance of the council.

SECTION 6. The collector of taxes shall issue the tax bills as soon as possible after the tax lists and warrant are delivered to him by the assessors, and the notices thereof shall be sent to all persons

assessed for a poll tax only, on or before the second day of September in the year in which the tax is assessed. All taxes shall be due and payable on or before the first day of September in each year, and all taxes remaining unpaid on the first day of November next ensuing, the collector shall proceed to collect by due process of law. A discount of ten per cent. shall be allowed on all taxes which shall be paid on or before the second day of October in each year.

SECTION 7. It shall be the duty of the collector to deposit from day to day, whenever the same shall amount to the sum of one hundred dollars (\$100), the moneys which he shall receive for taxes, in one or more of the national banks or trust companies in said city of North Adams, to the credit of the city, which money shall remain until required to be drawn out for the necessary and legal expenditure of said city. And in like manner the treasurer shall deposit any sum which he may receive from loans, water rents, fines, fees, claims or dues to the city or otherwise and all fees, charges and commissions of every kind allowed by law for the collection of taxes, betterments, rates and assessments of every kind, shall be collected and paid into the treasury of the city and become the property of the city. All checks signed by the treasurer shall be countersigned by the auditor.

SECTION 8. Whenever the treasurer is furnished by the city clerk with an account of any assessment made by the mayor and council, relating to drains, sewers, sidewalks or otherwise, he shall forthwith demand payment, in writing, of the amount of such assessment in the manner provided by law; and in case any bills or dues under this ordinance remain unpaid at the expiration of three months after such demand, the treasurer shall cause the same to be collected by a resort to the proper legal process.

SECTION 9. The treasurer shall have the custody of all bonds given to said city by any and all officers thereof, except his own. The city clerk shall have the custody of the treasurer's bond. The treasurer shall sign all bonds and notes issued by the city and all coupons that may be attached to any bonds shall bear the signature of the treasurer either in the original or a facsimile. All such bonds and notes shall be countersigned by the mayor.

SECTION 10. The city bookkeeper shall give bond to the city with a suitable fidelity insurance company as surety to the satisfaction of the president of the city council and the city solicitor, in the sum of five thousand dollars (\$5,000), that he will faithfully account for and pay over all moneys received by him and that he will faithfully discharge and perform each and all of the duties of his office of bookkeeper and clerk of the commissioner of public works. The expense of such bond shall be borne by the city.

CHAPTER 4.

ESTABLISHING A POLICE DEPARTMENT AND MAKING REGULATIONS THEREFOR.

SECTION 1. A police department is hereby established, which shall consist of a chief of police, two captains and eighteen patrolmen, who shall severally be appointed by the mayor and who shall hold their respective offices during good behavior and until removed as provided by law. They shall under the regulations prescribed by the city council and such rules of discipline as may be prescribed by the mayor, perform all duties required of them as day and night police, in accordance with the ordinances of the city and the laws of the state.

SECTION 2. The mayor may appoint such special policemen, from time to time as may be necessary, who shall serve without pay. They shall be under the control of the chief of police and shall be subject to these regulations and such rules of discipline as may be prescribed by the mayor.

SECTION 3. The chief of police shall be the head of the department of police, and, under the direction of the mayor, shall have the entire control of the department, its officers and of all constables, special policemen and other officers when engaged in the service of the department. He shall be responsible for the discipline, good order and proper conduct of the men constituting the department, and for the good condition of all the property connected with the department. He shall devote his time to maintain and preserve the peace, order and cleanliness of the city. The captains of police shall be styled first and second captains of police. The first captain shall be the deputy chief of police, who shall in the absence or disability of the chief of police, act as and discharge the duties of chief of police.

SECTION 4. All fees, penalties, witness fees, moneys or compensation received by any members of the police force, other than their salary, for any services rendered in their official capacity, except witness fees for testifying in courts outside the limits of the city, shall be paid weekly into the city treasury by the officers receiving the same.

SECTION 5. The chief of police shall keep or cause to be kept at the police station, a complete descriptive list of each and every person arrested and brought to the station, by giving his name, nativity, age, height, complexion, color of hair and eyes, the amount of money he may have in his possession, his present residence, and the offence for which he is arrested, all of which shall be entered in a book to be furnished by the city; and the same shall be delivered by said chief of police to his successor in office.

SECTION 6. It shall be the duty of each and every police officer to exercise supervision over the use of water to prevent its waste, and to report to the superintendent of the water works all cases of leaking pipes which may come to their knowledge and the locations where any waste is permitted by takers, or where they have good reason to believe water is being improperly used or wasted.

SECTION 7. It shall be the duty of each and every police officer to take notice of all nuisances, impediments, defects and obstructions in the streets, bridges, sidewalks, lanes, alleys and courts, and public places and squares of the city, and report the same to the commissioner of public works. It shall also be the duty of each and every police officer to immediately investigate any accident upon a public street, bridge or sidewalk coming to his notice and at once report the same with all information obtained, to the chief of police, who shall forthwith transmit the same to the city solicitor.

SECTION 8. The chief of police shall keep a correct record of all the doings of his office, which shall at all times be subject to the inspection of the mayor and city council. He shall make a detailed report to the mayor annually, and oftener if required, of the doings of his office and the condition of the department. He shall on the

last day of each month prepare a pay roll of all permanent men employed in the department and present it to the auditor for certification.

SECTION 9. The members of the department shall be uniformed and equipped in such manner as the mayor shall direct.

CHAPTER 5.

ESTABLISHING A FIRE DEPARTMENT AND MAKING REGULATIONS THEREFOR.

SECTION 1. The fire department shall consist of a chief engineer, and a deputy chief engineer who shall be a permanent fireman in addition to the permanent men hereinafter mentioned; two hose companies consisting of a captain, a lieutenant, two permanent men and eight call men each; one hose company consisting of a captain, a lieutenant, and ten call men, a hook and ladder company consisting of a captain, a lieutenant two permanent men and five call men; a hose and hook and ladder company at Braytonville, so called, to consist of a captain, a lieutenant, and thirteen call men; and a hose company at Blackinton, so called, to consist of a captain, a lieutenant, and ten call men; who shall severally be appointed by the mayor, and who, except the chief engineer, shall hold their respective offices during good behavior and until removed according to law. The members of the fire department shall, under the regulations prescribed by the City Council, and such rules of discipline as may be prescribed by the mayor perform all duties required of them in accordance with the ordinances of the city and the laws of the state.

SECTION 2. The salary of the Chief Engineer of the Fire Department shall be twelve hundred dollars per annum.

The salaries of the members of said companies at Braytonville and Blackinton shall be as follows: Captains, fifteen dollars, lieutenants, twelve dollars, and call men ten dollars, each per annum.

SECTION 3. The chief engineer may, with the approval of the mayor and committee on fire department of the city council, establish volunteer fire companies in the outlying districts to consist of such officers and men as shall be deemed proper, who shall serve

without compensation; the members of such companies shall severally be appointed by the mayor, shall be sworn to the faithful performance of their duties, and be subject to the regulations, rules and laws mentioned in section 1 of this chapter.

SECTION 4. The chief engineer shall be the head of the department, and under the direction of the mayor, shall have entire control of the department, its officers and men. He shall be responsible for the discipline, good order and proper conduct of the men constituting the department and for the good condition of all property connected with the department. He shall see that the fire hydrants are always in working order and any defect therein shall forthwith be reported by him to the superintendent of the water works. The superintendent of the water works shall, for the purpose of keeping the fire hydrants and water mains always in good working order, be a member of the fire department without additional compensation.

SECTION 5. The chief engineer shall have the sole and absolute control and command over all other members of the department and all persons present at fires, and shall take prompt measure to arrange the several hose reels and other apparatus in the most advantageous manner, and issue such orders as he may deem necessary. In case of the absence of the chief engineer at a fire, the deputy chief engineer shall, during such absence, have and exercise all the power and authority of the chief engineer, and shall perform the duties of his office, and if no engineer be present, the captain who first arrives with his apparatus at a fire shall exercise such authority until the arrival of the chief engineer or the deputy chief, and until the arrival of one of said officers, such authority is to be exercised by the lieutenant who first arrives with his apparatus.

SECTION 6. It shall be the duty of the chief engineer to keep or cause to be kept, fair and exact rolls of the respective companies, specifying the name, age, occupation and residence, and the date of the admission and discharge of each member of the department,

and to keep an accurate account of all property belonging to the department.

SECTION 7. It shall be the duty of the captain to preserve order and discipline in their respective companies and require and enforce a compliance with the regulations of the city council, the rules and regulations of the department, and the orders of the chief and assistant engineers, and to report, forthwith, in writing, to the chief engineer, the name of each and every member who shall be guilty of any neglect of duty or disobedience of orders. They shall keep or cause to be kept by the clerks in books to be provided at the expense of the city, fair and exact rolls of their respective companies, specifying the time of admission and discharge of each member, with his age, residence and occupation, and also a record of all the city's property intrusted to their care; which rolls and records shall at all times be subject to the inspection of the chief engineer. They shall also make or cause to be made, to the chief engineer, true and accurate returns of all members, with their ages, residences and occupations, and the conditions of the apparatus intrusted to their care whenever called upon to do so.

SECTION 8. The chief engineer may make rules and regulations for the discipline and government of the department, subject to the regulations of the city council, and the approval of the mayor.

SECTION 9. No person shall be a member of the department who is less than twenty-one years of age, and who is not at the time a resident of the city and citizen of the United States.

SECTION 10. Any officer or member who shall neglect or refuse to perform his duty, or who shall be guilty of any disorderly conduct or disobedience to an engineer or officer, may be suspended from duty by the chief engineer, who shall, within seven days thereafter, deliver to the city clerk a report to the mayor of his action, stating the name of the person suspended and the cause therefor, and the city clerk shall present such report to the mayor and the mayor may continue such suspension for any definite period, or remove such person from the department. Any member suspended

from duty shall not act as a member of the department, or be entitled to any compensation until reinstated by the mayor; and in all cases of removal from office or from the department, the name of the person removed, with a statement of the reasons therefor, shall be entered upon the books of the chief engineer.

SECTION 11. Every person admitted into the department shall be and remain a member of the company named in his application until he shall be transferred to another company or discharged; and no member shall be transferred from one company to another except by order of the chief engineer.

SECTION 12. If any member or officer shall, except in case of sickness or the written permission of the chief of the fire department, be absent from more than three successive fires, alarms of fires or two successive regular meetings of his company, such absence shall be considered good cause for his discharge from the department; and an intentional violation of any of the provisions of this chapter by any officer or member shall be good cause for his discharge. No company shall leave the city in case of fire in a neighboring town except by order of the chief engineer or in his absence by the deputy chief engineer.

SECTION 13. Whenever it shall be determined at any fire by the engineer in command to be necessary to pull down or demolish any building, in order to prevent the spreading of fire, the same may be done by his order, in accordance with the statute in such case made and provided.

SECTION 14. The chief engineer shall cause all places where shavings and other combustible materials or explosive compounds or detonators, or other articles, goods or merchandise liable to cause fire, are placed or kept, to be examined and when he deems that said materials or other articles, goods or merchandise are so placed or kept as to be liable to cause fire, he shall order the tenant or occupant of the place where they are so placed or kept to remove them; and if such tenant or occupant neglects or refuses so to do, the chief engineer shall cause the same to be removed at the expense of such tenant or occupant, who shall in addition be liable to

a penalty not exceeding twenty dollars (\$20) for such neglect or refusal.

SECTION 15. It shall also be the duty of the chief engineer to take cognizance of every building in the city in which any steam engine shall be used, and of all buildings in the city in process of erection or alteration, and to make a record of such thereof, as, in his judgment may, from any cause, in case of fire be dangerous, and report the same to the mayor forthwith; and whenever in his opinion, any chimney, hearth, oven, stove, stovepipe, fireframe, or other fixture, or any explosive or inflammable fluid or material, or whatever else may give just cause for alarm, should be altered, repaired or removed, he shall forthwith notify and direct the owner, tenant or occupant of the premises upon which the same is situated to alter, repair or remove the same as he shall direct. And in case such owner, tenant or occupant shall refuse or neglect so to do, he shall cause the same to be removed, altered or repaired at the expense of such owner, tenant or occupant, who shall also be liable to a penalty not exceeding twenty dollars (\$20) for such neglect or refusal. Any person who shall obstruct the chief engineer in carrying out the provisions of this section shall be liable to a penalty not exceeding twenty dollars (\$20) for each offence.

SECTION 16. Any person intentionally raising a false alarm of fire shall be prosecuted by the chief engineer according to law. No unauthorized person shall open any of the signal boxes connected with the fire alarm telegraph except in case of fire, or interfere with or injure any part of the fire apparatus of the city or of the fire alarm system. Any person violating this provision shall be punished by a fine not exceeding twenty dollars (\$20).

SECTION 17. In case of fire, the fire department, its officers and members, with their horses, machines and equipment, shall have the right of way in the public streets and ways of the city, as against all other persons, vehicles, or animals, and no person shall hinder or obstruct them in the free passage therein, nor drive over any hose, belonging to the fire department, with any carriage or other vehicle or remove, injure or in any manner disturb the members thereof,

their horses, machines, hose or equipments, when stationed, located, or laid in any streets, except under direction of the officer in command thereat. No person shall cause any vehicle or animal to be hitched, or stand in front of any hose house or place where fire apparatus is kept for use at a fire. Any person violating the provisions of this section shall be punished by a fine not exceeding twenty dollars (\$20).

SECTION 18. Whenever an alarm of fire is given, all drivers of vehicles shall at once endeavor to give the fire department the right of way as provided by section 37 of chapter 32 of the revised laws; all street railway conductors and motormen shall cause their cars to immediately stop when upon State street north of the Hoosac river, Main street east of the Phoenix bridge, Eagle street and Union street west of the first bridge over the Hoosac river; provided, however, that no car shall stop within fifty feet of the entrance of any hose building, nor upon, or within fifty feet of the corners of State and Main streets, Main and Eagle streets, Center and Eagle streets and Eagle and Union streets, until the fire department shall have passed said street cars.

(The punishment for willfully and maliciously obstructing or retarding such apparatus, under the provisions of said section 37, is, imprisonment not exceeding three months or by fine not exceeding fifty dollars (\$50).)

SECTION 19. Whenever the word "street" or "streets" is used in this chapter it shall be understood to include lanes, alleys, courts, public squares and sidewalks, unless otherwise expressed.

SECTION 20. All persons not members of the fire department are hereby enjoined and required to obey the orders and directions of the officer in command at any fire, and to render their services, if ordered so to do by him. Any person who shall violate any provision of this section shall be liable to a fine not exceeding ten dollars (\$10).

SECTION 21. No gambling shall be allowed in any building occupied by any company in the fire department, nor shall spirituous liquors be used therein.

SECTION 22. No hose, reel, cart, hook and ladder truck or other apparatus shall be taken out of the city except to a fire, without permission of the mayor, and shall not be taken out of the city to a fire unless by the permission of the chief engineer, or in his absence of the deputy chief engineer.

SECTION 23. The members of the fire department shall be exempt from serving as jurors.

CHAPTER 6.

ESTABLISHING FIRE LIMITS.

SECTION 1. The fire limits within the city of North Adams are hereby established as follows: Beginning at a point in the boundary line between the town of Clarksburg and the city of North Adams, which point is the northeasterly corner of the fire district as it existed on the thirty-first day of December, A. D. 1895, and shown on map in the office of the city engineer, marked "Map of North Adams Fire District," made by A. W. Locke and dated May 3, 1888, to which reference may be had; thence southeasterly and southerly along the easterly line to station 8 as shown on said map; thence southwesterly in straight line to the intersection of the center lines of Church and Ashland streets; thence northwesterly in a straight line to station 17 as shown on said map, which is at the southwesterly corner of a lot of land owned by Henry Ballou and situated on the southerly side of Dean street, so called; thence along said fire district line to a point near station 33, which point is in the center of a stream known as "Cascade Brook" and is also two thousand (2,000) feet southerly from the southerly bounds of the state road, so called, measured in a direction perpendicular thereto; thence westerly parallel with and two thousand (2,000) feet distant from the southerly bounds of said state road to the westerly bounds of the city of North Adams as established by the provisions of chapter 262 of the Acts of the General Court in the year 1900; thence northerly along said westerly boundary line to the northwesterly corner of the boundary of the city of North Adams as established by said chapter 262; thence easterly along the northern boundary line of the city of North Adams to the place of beginning.

CHAPTER 7.

LICENSES.

SECTION 1. When no other provision is made by any law of the Commonwealth, all licenses shall be issued and signed by the city clerk, acting under the direction of the mayor and a majority of the committee on licenses of the city council, said clerk shall keep a proper book of records of licenses, and all fees received under this chapter shall be turned over by him to the city treasurer for the use of the city. Every license fee shall be paid before the license is issued.

The words "License Committee" as used in this chapter and as hereinafter referred to shall include and mean the mayor and the committee on licenses of the city council.

SECTION 2. All licenses shall expire on the thirtieth day of April next after their date of issue unless otherwise specified in the license.

AUCTIONEERS.

SECTION 3. Every person licensed as an auctioneer shall give a bond in the sum of two hundred dollars (\$200) to the city treasurer with sufficient sureties to be approved by a majority of the license committee, with condition that he shall in all things conform to the laws relating to auctioneers, and shall pay for the license the sum of two dollars (\$2).

BILLIARD TABLES, ETC.

SECTION 4. Every person licensed to keep a billiard or pool table, or a bowling alley, shall pay a license fee of two dollars (\$2) for each of the first four tables, and one dollar (\$1) for each additional table, and five dollars (\$5) for each bowling alley. All such licenses shall set forth the name of the person licensed, and the nature of the business, the number of tables and bowling alleys, and the building or place in the city in which it is to be carried

on, together with the time of opening and closing of said places of business.

HACKNEY CARRIAGES.

SECTION 5. No person shall set up, use, or drive in the city of North Adams any hackney carriages for the conveyance of persons for hire from place to place within said city without a license therefor. The license committee may from time to time direct that licenses be granted to such persons as they deem expedient, to set up, use, or drive hackney carriages for the conveyance of persons for hire from place to place within the city, and may establish the fare therefor at their discretion. Every person so licensed shall pay the sum of one dollar (\$1) for each vehicle so licensed. Every person licensed as aforesaid shall cause his vehicle to be conspicuously marked with the license number, in figures not less than one and one-half inches long. The name of the licensee and the number of the vehicle, together with the rates of fare, shall be conspicuously posted on a printed card in every vehicle. No license granted as aforesaid shall apply to any vehicle except the particular one designated therein by number, or otherwise made certain.

Every coach or other vehicle, whether on wheels or runners (except street cars) drawn by one or more horses, or propelled by other power, for the conveyance of persons for hire from place to place in North Adams shall be deemed to be a hackney carriage within the meaning of this section. Any person violating the provisions of this section shall be punished by a fine not exceeding twenty dollars (\$20).

EXPRESSMEN AND OTHERS.

SECTION 6. The license committee may direct that licenses be granted to such persons as they deem expedient to employ or use any wagon, cart, sleigh or other vehicle which may be necessary for the conveyance from place to place within the city, for hire, of any goods, wares, furniture or rubbish, and no person shall use any of the vehicles mentioned in this section, for the purpose herein specified, without a license as aforesaid.

Every person licensed under this section shall cause his name to be placed in plain, legible words on any such vehicle he shall use,

and he shall pay one dollar (\$1) for each vehicle so licensed. Any person violating the provisions of this section shall be punished by a fine not exceeding twenty dollars (\$20).

DEALERS IN JUNK AND SECOND-HAND ARTICLES.

SECTION 7. No person shall be a dealer in and keeper of a shop for the purchase, sale or barter of junk, old metals, or second-hand articles, and no person shall collect by purchase or otherwise, as a junk collector, junk, old metals or second-hand articles from place to place in this city, unless he is duly licensed therefor by the license committee.

Every keeper of a shop in this city for the purchase, sale or barter of any of the articles aforesaid, shall keep a book, in which shall be written at the time of every purchase of any such article, a description thereof, the name, age and residence of the person from whom, and the day and hour when such purchase was made, and such book shall at all times be open to the inspection of the mayor, any member of the city council and any police officer of the city of North Adams. No article purchased or received by such dealer or keeper of a shop shall be sold until at least one week from the date of its purchase or receipt has elapsed, unless the name and address of the person to whom such articles have been sold, with such other facts as may be necessary to facilitate the tracing of such article, have been entered on the book mentioned in this section. Every dealer or keeper of a shop shall put in a suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters.

Every such shop and all articles of merchandise therein and any place, vehicle or receptacle used for the collection or keeping of the articles aforesaid may be examined at all times by the mayor, any member of the city council and any police officer of the city of North Adams.

No dealer or keeper of such shop, and no junk collector shall, directly or indirectly, either purchase or receive by way of barter or exchange any of the articles aforesaid, of a minor or apprentice, knowing or having reason to believe him to be such.

Every such collector of any of the articles aforesaid, shall display a badge upon his person, and badges upon his vehicle when

engaged in collecting, transporting or dealing in junk, old metals or second-hand articles; the badge so displayed upon the person to be of such size and design as shall be determined by the license committee, and to be worn upon the outside of the outer coat, garment or hat, in front; the badges upon the vehicle to be not less than three inches by five inches, and shall be attached to the outside of such vehicle on each side; all badges so displayed to bear the words "JUNK," "NORTH ADAMS," and the year in which the license is granted, together with a number which shall be assigned by the city clerk and shall be specified in the license; all badges to be furnished such collectors by the city, at cost.

The aforesaid licenses may be revoked at pleasure and shall be subject to the provisions of Sections 186 to 189 inclusive of Chapter 102 of the Revised Laws.

For every license so granted to a dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second-hand articles in this city, there shall be paid to the city clerk the sum of ten dollars, for the use of the city, and for every license so granted to a junk collector to collect, by purchase or otherwise, junk, old metals or second-hand articles from place to place in this city, there shall be paid to the city clerk the sum of three dollars, for the use of the city.

Whoever, not being so licensed, keeps such shop or is such dealer or junk collector, in this city, or being licensed, keeps such shop or is such dealer or junk collector in any other place or manner than that designated in his license, or after notice to him that his license has been revoked, shall forfeit twenty dollars for each offense; and whoever violates any rule, regulation or restriction contained in his license shall forfeit not more than twenty dollars for each offense.

All the provisions of this section shall be incorporated in every license that shall be granted under it.

Persons who do not buy or sell any second-hand articles, except books or furniture, shall be exempt from the provisions and conditions of this section.

HAWKERS AND PEDDLERS.

SECTION 8. Every hawker or peddler exposing for sale or selling meats, provisions, fruits or vegetables shall record his name

with the board of health, who shall assign him a number. The said articles shall be so carried and conveyed that they shall not tend to injure the public health or comfort. Every such vehicle or receptacle shall have the name and number of the person selling, painted thereon in letters and figures at least two inches in size. The said vehicles or receptacles shall be kept neat and clean within and without, and shall at all times be subject to inspection by the board of health or its agent. All hawkers or peddlers selling or exposing for sale any of the articles enumerated in section 15 of chapter 65 of the Revised Laws and amendments thereof and additions thereto (not included in the foregoing provisions) or any person holding a state license and exposing for sale any goods, wares or merchandise under the same, shall record his name in the office of the city clerk.

No person, unless duly licensed shall ring a bell or cause a bell to be rung or cry his wares on or in a public street or place for the purpose of giving notice of the exercise of a business or calling, or for the sale of any article, and no person shall use a horn, or cause to be used a horn, or other noise-making instrument for said purpose in any public street or place, except that bakers may use gongs on their carts as they go from house to house. The license fee for the privilege of ringing a bell in the public streets or places for the said purpose shall be one dollar (\$1) for each day or evening. No bell shall be rung in the public streets at an hour earlier than seven o'clock in the morning or later than nine o'clock in the evening. Any person violating any provision of this section shall be punished by a fine of not exceeding twenty dollars (\$20), except when upon complaint of the board of health or its agent, any person is convicted for a second time of having an unclean vehicle or receptacle, such person shall be punished by a fine of not less than twenty dollars (\$20) and not exceeding fifty dollars (\$50).

EXPLOSIVES AND INFLAMMABLE FLUIDS.

SECTION 9. The license committee may direct that licenses be granted as provided by chapter 370 of the Acts of 1904 as amended by chapter 280 of the acts of 1905, for the keeping, storage, manufacture or sale of any of the articles named in section 2 of said chapter 370 and amendments thereof and additions thereto.

The punishment to be as provided by said chapter 370 as amended, viz:—"Whoever keeps, stores, uses, manufactures, sells, handles, transports, or otherwise disposes of any of the articles mentioned in section two, in violation of this act or of the regulations made hereunder, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month, or by both such fine and imprisonment."

LUNCH CARTS.

SECTION 10. All persons who shall apply for a license to conduct a street lunch cart shall first secure the consent in writing of the commissioner of public works, which consent shall state the place wherein such street lunch cart shall be stationed, but such consent of the commissioner of public works shall not in any way affect the authority of the license committee to withhold a license; and the license shall not protect a person exercising his employment in any other place than that so specified. Each person to whom shall be issued a license to conduct a lunch cart, shall pay for such license such sum as the license committee may determine.

PAWN BROKERS.

SECTION 11. The license committee may direct that suitable persons be licensed to carry on the business of pawn brokers, subject to the provisions of sections 186 to 189 inclusive of chapter 102 of the revised laws, and also the provisions of sections 33 to 46 inclusive of said chapter 102. And each person licensed to carry on the business of pawnbroker shall file a bond with two sureties in the sum of three hundred dollars (\$300), and shall pay a license fee of fifty dollars (\$50) if licensed on or after November first the fee shall be twenty-five dollars (\$25).

INTELLIGENCE OFFICES.

SECTION 12. The license committee may direct that suitable persons be licensed to conduct intelligence offices pursuant to sections 23 to 28 inclusive of chapter 102 of the Revised Laws. The fee shall be two dollars for each license so granted.

GENERAL PROVISIONS.

SECTION 13. The chief of police, sheriff or his deputy, constable, police officer, may at any time enter into a billiard or pool-

room, bowling alley or any other place of public amusement, or the premises of an inn-holder or common victualer or in a street lunch cart for the purpose of enforcing any law of the state, or ordinance of the city of North Adams; and whoever obstructs or hinders the entrance of such officer shall be punished by a fine of not less than five dollars (\$5) nor more than twenty dollars (\$20).

SECTION 14. Licenses, that may be granted legally for purposes not herein before specifically mentioned, may be granted by direction of the license committee who shall fix the fees at their discretion. The consent of the commissioner of public works shall be obtained in the same manner as provided in section 10 of this chapter whenever the use of the public streets is involved.

SECTION 15. No license issued under the provisions of this chapter shall be transferred without the consent of the license committee endorsed on the license by the city clerk.

SECTION 16. Any and all licenses issued by direction of the license committee under and by virtue of the provisions of this chapter may be suspended or revoked at their pleasure. When such a license is revoked, the city clerk shall note the revocation upon the face of the record of the license and shall give written notice to the holder of the license by delivering the same to him in person or by leaving it at the place of business designated in the license, or mailing the same to his last known address.

CHAPTER 8.

PLUMBING.

LICENSE.

SECTION 1. No person except those authorized by provisions of sections 1 and 2 of chapter 103 of the Revised Laws shall carry on the business, or do any work of plumbing unless he shall have first obtained a license in accordance with the provisions of said chapter 103, and have registered his name and place of business in the office of the city engineer and inspector of buildings for the city of North Adams.

PLANS OF PLUMBING AND HOUSE DRAINAGE TO BE APPROVED.

SECTION 2. The plumbing and drainage of all buildings, public and private, shall be executed in accordance with plans and specifications previously submitted to and approved in writing by both the inspector of buildings and inspector of plumbing.

Plans and specifications of such plumbing and drainage shall, in each case, be submitted upon blanks in such form as the city engineer and inspector of buildings shall order, and the same shall be placed on file in the city engineer's office.

No person shall proceed to construct, add to or alter any portion of the plumbing or drainage system of a building, except in case of repair of leaks, as prescribed in section 7, chapter 103, of the Revised Laws, until the owner, builder or other person constructing the same has filed with the city engineer and inspector of buildings a plan thereof showing such part as may be required of the entire drainage system, from its connection with the common sewer, or from its point of discharge to its terminus in the building, together with the location and sizes of all branches, traps, ventilating pipes and fixtures. No person shall commence work on such drainage or plumbing until the plans and specifications are approved, as indicated above, by both the inspector of buildings and the inspector

of plumbing, and not until permit for said drainage or plumbing work has been granted by the inspector of buildings. After a plan or piece of work has been once approved no alteration of either shall be allowed, except on a new application and permit as provided in this section. Plans and specifications submitted shall be approved or rejected as soon as possible, and at latest, within forty-eight hours after the application has been made.

APPLICATION.

SECTION 3. The application for the approval of any certain plumbing or drainage system as provided in section 2 shall be made by the owner of the premises on which said system is to be constructed, or by one duly authorized by him in writing to make such application. It shall always contain the name of the plumber who shall superintend, have charge of, or execute such plumbing, and said plumber shall, at the time of doing such work, be duly licensed as a master or employing plumber, according to the provisions of chapter 103 of the Revised Laws.

HOUSE CONNECTION.

SECTION 4. Every building connected with the public sewer, shall be separately and independently connected. The drainage of one house shall not be connected with, nor pass through the cellar of another.

Any exception to this section can only occur by a special permit granted by the board of health, inspector of buildings and the inspector of plumbing.

SIZE AND KIND OF PIPE.

SECTION 5. All soil, waste or vent pipes shall be of sufficient size and weight when within a building, and for a distance of at least ten feet outwardly from the inside face of the foundation walls or sills, shall be made of cast iron, except that lead pipes may be used for short connections, and wrought iron galvanized pipe may be used in some of the interior piping if so shown on the approved plans and specifications. The iron if cast shall be of best quality, known as extra heavy, of uniform thickness throughout, and shall have

an average weight of not less than that below specified.

2 inch pipe, $5\frac{1}{2}$ lbs. per foot.

3	"	$9\frac{1}{2}$	"	"	"
4	"	13	"	"	"
5	"	17	"	"	"
6	"	20	"	"	"
8	"	$33\frac{1}{2}$	"	"	"
10	"	45	"	"	"
12	"	54	"	"	"

The iron, if wrought, shall be of a quality known as standard wrought and, if used, shall have its connections made by the Durham system fittings or an approved equivalent. By being so specified in the permit a standard weight cast iron pipe may be used to repair a standard weight, or to extend, for ventilation to the roof, an old standard weight pipe. This shall never be allowed unless so specified in the permit and is considered necessary or advisable by inspectors granting the same.

HOUSE DRAIN—EXTERIOR.

SECTION 6. That portion of the house drain which is outside the building and more than ten feet outwardly from the inside face of the foundation walls shall be constructed of extra heavy cast iron soil pipe or of the best quality vitrified drain pipe with carefully cemented joints.

No house drain or private sewer shall pass under another house, and if within five feet of the outer line of any cellar wall it shall be made of extra heavy cast iron pipe with thoroughly calked oakum and lead joints. No such pipe, connecting the interior house drainage system with the sewer shall have a fall of less than one-quarter of an inch to each foot if that or a greater fall can be secured. The grade, size and alignment shall always be subject to the approval of the city engineer and inspector of buildings.

HOUSE DRAIN—INTERIOR.

SECTION 7. That portion of the house drain which is inside the building shall have a fall not less than one-half inch for each foot of its length if this is possible; and in no case shall it have a fall less than one-quarter inch to each foot. All pipes shall be fre-

quently and firmly supported. Iron pipe in the cellar if hung to the floor timbers must be hung by strong iron hangers placed at intervals not greater than five feet. Such hangers, for a four-inch pipe shall have a cross section not less than one inch by one-eighth inch, and be firmly attached to the timber at both ends, or an iron hanger, attached at only one end may be used if it provides the same supporting strength as the above. The pipe may run along the cellar wall supported on masonry piers. It may be buried in a dirt cellar bottom if from its place of passing through the wall a satisfactory grade may be had to the sewer; or in a masonry cellar bottom it may be placed in a substantial masonry box, large enough to admit good calking all around, and provided with a cover that may be easily removed.

Care must be taken to protect the pipe from any pressure of the cellar wall at the place of passing through the same.

SOIL PIPE ANGLES.

SECTION 8. All branches of soil or waste pipe, fifteen feet or more in length, shall extend undiminished in size, two feet above the roof, and not less than five feet above the top of any window situated within fifteen feet. Each of such pipes to have an open top allowing unobstructed circulation of all. They shall be supported above the roof if required.

All changes in direction shall be made with curved pipes, and all connections with horizontal or vertical iron pipes, shall be made with Y branches, maintaining an angle not greater than forty-five degrees; or such other fitting as will contain the same relative proportions. This section shall not apply to air pipes where suitable T branches may be used if approved by the inspector.

PIPES COVERED.

SECTION 9. All drain, soil or waste pipes shall be permanently exposed to sight where practicable, or, if necessarily placed within partition walls shall be covered with wood work so fastened with screws as to be readily removed. In no case shall they be absolutely inaccessible. An exception to this section shall require

a special permit granted by the board of health, inspector of buildings and the inspector of plumbing.

CLEANOUTS.

SECTION 10. Every right angle turn in the drain, soil or waste pipes, and every turn where practicable, shall be provided with suitable cleanout, same size as drain where attached and provided with brass screw cover with packing. It shall be so made as to securely shut off escape of sewer gas. Traps used hereafter shall be provided with suitable accessible openings for cleaning purposes, and all such openings or cleanouts shall be exposed to view. All traps depending on secret partitions to form a seal, and the trap cover with putty connections, are prohibited.

TRAPS.

SECTION 11. Every sink, basin, bath tub, water closet, wash tray, slop hopper and every other fixture having a waste pipe, shall be furnished with a separate trap, which shall be placed as near as possible to the fixture it serves, except that when a set of bowls, or set of wash trays are close together, one trap may be used for them, but the trap must be within three feet from the most distant fixture that it is intended to serve. (No traps shall be placed on vertical pipes.) Wooden sinks or wash trays are prohibited unless rendered impervious to water.

VENTILATING TRAPS.

SECTION 12. All traps shall be protected from siphonage or air pressure by special cast iron or lead air pipes of a size not less than the waste pipe they serve; said pipe shall be connected with the crown of the trap on its downward side. The diameter of back vent for S water closets shall be not less than two inches internal diameter, for one or for two closets, but for any number exceeding two closets, the diameter shall be not less than three inches.

Ventilating pipes from any trap other than a water closet discharge shall be of diameter not less than the pipe they serve, and whenever two or more of such ventilating pipes are connected

the diameter of the same after the connection shall not be less than two inches.

All anti-siphon or vent pipes of water closets shall be connected in the bend beneath the floor as near as possible to the water closet. The highest water closet or sink, when within three feet of main soil pipe may be put in without anti-siphon vent pipe.

All water closets and slop hoppers within a building, using lead connections, shall have a cast brass flange, not less than three-sixteenths of an inch in thickness soldered to the lead pipe and the joint made with a putty of equal parts of white and red lead, bolted to the closet.

If the necessary position of a trap causes ventilation of the same to be impracticable, a special permit may be granted to use an approved form of non-siphon trap, if in the judgment of the inspector of buildings and the inspector of plumbing such an arrangement is necessary or advisable. In no other case shall a trap be placed without ventilation as provided above. Forms of non-siphon traps, and of water closets that may be used are at all times subject to the regulations of the board of health.

VENTILATING PIPES.

SECTION 13. Air pipes shall run as direct as practicable and shall have such continuous slope as to avoid collecting water by condensation. Two or more air pipes may be connected as provided in section 12. They may be continued directly to and through the roof, when the diameter shall not be less than three inches and its opening shall be subject to the same regulations as provided for soil pipe openings in section 8. Instead of extending through the roof, air pipes may, if favorably located, be connected with the soil pipe above the highest fixture discharging into the same.

Sewer, soil or waste pipe ventilators, shall not be constructed of brick, sheet metal, or earthen ware, and chimney flues shall not be used as such ventilators.

LOCAL VENT.

SECTION 14. Every water closet shall be provided with a separate local vent unless otherwise permitted in the approved plans and specifications. The material of such vent shall be copper,

galvanized iron, or cast iron, and its diameter shall not be less than two inches. It shall be carried upward and into a heated flue, if one is provided for the purpose, and if there is no heated flue it shall be entered into the kitchen chimney at a point to be approved by the inspector. An exception to the foregoing may be made when several closets are set close together in the same apartment, the local vents may be connected together before entering the flue or chimney. The diameter for one closet to be not less than two inches, for two and not more than four closets three inches, and for any number exceeding four closets a proportionally increased diameter.

SIZE OF WASTE.

SECTION 15. When two and not more than six fixtures, such as sinks, bowls, baths or wash trays are used on one line, the waste pipe must be of cast iron, and not less than two inches in diameter; for any number exceeding six the waste pipe shall have a diameter of not less than three inches. No pipe less than one and one-fourth inches in diameter shall be used for waste, vent or flush pipes.

NUMBER OF CLOSETS.

SECTION 16. There shall be in all houses, blocks, or buildings for the employment of labor a separate water closet for each tenement, and at least one water closet for every twenty-five persons living, occupying or being employed therein, conveniently located and constantly supplied with water.

WATER CLOSET TANK.

SECTION 17. Every water closet hereafter constructed shall be supplied with water from a special tank or cistern not used for any other purpose, and holding not less than five gallons, unless permission has been first obtained from the board of health to use other fixtures. The closet shall in all cases be separately and independently connected with the general or common drain of the house. The use of the pan or plunger closet is prohibited.

When necessary to renew any fixture from local cause, and all other parts of the house plumbing are in good condition, such fixture of approved make may be substituted without additional venti-

lation or alteration of the sewer system, by special permission of the board of health. After such fixture has been placed the smoke or other test if directed, to be applied to the entire plumbing of the building.

WATER CLOSETS IN HOUSES.

SECTION 18. Water closets must never be placed in an unventilated room or compartment. They shall, when practicable be located in an apartment with a window of suitable dimensions leading directly to the outer air. When otherwise located the apartment must be supplied with a suitable ventilating shaft or air duct, which shaft must not be used to ventilate habitable rooms. The space in and around water closets, bath tubs and wash bowls shall not be inclosed by wood work, but shall remain open and exposed to view, except that a closet may be made under a wash bowl, when provided with a suitable door.

JOINTS.

SECTION 19. All joints in iron pipe must be packed with oakum, run full with molten lead, thoroughly calked and made tight. Lead shall not be less than one and one-half inches deep, and no paint or putty shall be applied to the same until it has been tested. All joints in tile pipe shall be thoroughly filled with hydraulic cement after the pipe is in its final position, and the joint shall be wiped inside to a smooth surface, offering a free flow to the sewage. No obstruction shall be left inside the pipe when connection is made with the iron. No tile shall be used inside the building as provided in section 5.

Every joint in lead pipe shall be made in a solder, and wiped joints are to be used where practicable. Every joint connecting lead pipe with iron pipe shall be made with extra heavy brass ferrule of the same size as the lead pipe, set in the hub of the branch of the iron pipe and calked with lead, the lead pipe to be attached to the brass ferrule by a wiped solder joint when practicable.

RAIN WATER LEADERS.

SECTION 20. All rain water leaders, when connected with the house system, shall be suitably trapped, and when within a

building shall be of a size not less than the pipe which conducts the water from the roof. When two or more are connected together the diameter shall be correspondingly increased; leaders shall be connected with the main soil pipe at such place as is approved by the inspector, which place shall be in front of all connections to which fixtures are attached if practicable. No rain water conductor shall be used as a soil, waste or vent pipe, nor shall any soil, waste or vent pipe be used as a rain water conductor.

SOIL PIPE TRAP.

SECTION 21. The soil pipe from where it enters the building to the roof shall be of diameter not less than four inches, provided, however, that soil pipe of not less than three inches in diameter may be used when in the judgment of the inspector of plumbing and the inspector of buildings it is advisable.

Beyond all house connections, close to and inside the cellar wall the soil pipe or house drain shall be provided with a trap the same size as the drain; said trap to be furnished with a four-inch brass screw clean-out with packing, made gas and air tight. The hand hold shall be on the house side of the trap. There shall be no other trap on the soil pipe, nor shall this one be placed near the foot of the vertical portion thereof. Its setting shall not have an inclination to injure the seal of the trap. The trap may be placed outside the cellar wall by building about it a man-hole to make it always accessible. It must be protected from frost.

FRESH AIR INLET.

SECTION 22. There shall be a fresh air inlet of not less than four inches diameter, entering the drain between the trap described in section 21, and all house connections. The fresh air inlet shall enter said drain within two feet of said trap, and shall be connected with the outer air at a suitable distance from the nearest window or door, and where it cannot contaminate the cold air box of the furnace. Air shall have free access thereto, but the pipe shall be protected by grating or otherwise from dirt and obstructions.

REFRIGERATOR WASTE PIPES.

SECTION 23. Waste pipes from refrigerators or other receptacles in which provisions are stored shall not be connected with

drain, soil or waste pipes, unless such waste pipes are provided with traps suitably ventilated; and in every case there shall be an open tray or sink between the trap and refrigerator.

STEAM EXHAUST.

SECTION 24. No steam exhaust, blow-off or drip pipe shall connect with the sewer, house drain, rain water conductor, soil, waste or vent pipe unless it first discharge into a suitable tank or condenser. Said condenser to be provided with a vent leading from its dome to the outer air of a capacity not less than the aggregate capacity of all the pipes discharging into it. The said condenser may by proper connection and by special permit be allowed to discharge into the sewer; but such connection shall be made on the sewer side of the running trap.

GREASE TRAP.

SECTION 25. A suitable grease trap whenever required must be placed under the sink of every hotel, restaurant, eating house or other cooking establishment, and be easily accessible for inspection and cleaning.

INSPECTION.

SECTION 26. No person shall cover or conceal any part of the work until after it has been examined and approved by the inspector of plumbing. When the work is sufficiently advanced for the water pressure test the plumber in charge shall send notice of the same to the inspector, in writing, on blanks furnished by the city. This, or such other test as shall be approved by the city engineer and inspector of buildings, shall be made within three days from the time of receiving such notice, and sooner if possible. As much of the work as practicable shall be completed before making this test. All pipes tested must be in their final position with permanent hangers, clamps or supports. The plumber in charge of the work, after having securely closed all openings except at the top shall make said test in the presence of and under the direction of said inspector. The pipe shall remain under pressure such time as required by the inspector; not to exceed three hours. All defective joints must be made tight, and all defective pipe removed

and replaced by sound pipe within ten days from the time of their rejection.

When the entire plumbing work has been completed the plumber must make application for final inspection, in writing, on blanks furnished by the city. The plumber must not leave the work until such inspection has been made by the smoke test or such other approved method as may be considered necessary. No fitting shall be covered, nor the system used until such inspection has been made. Upon the satisfactory completion of the work the inspector of plumbing shall issue a certificate of approval to the owner of the premises or to his duly authorized agent. Such certificate shall also be filed in the office of the inspector of buildings.

Any such system, put in and covered without due notice to the plumbing inspector must be uncovered for examination, at the direction of said inspector. If the plumber in charge fails to do this it becomes the duty of the inspector of plumbing to uncover such as shall be necessary for the examination.

It shall be in order at any time during the progress of the work for the inspector of buildings or the inspector of plumbing to examine and approve or reject any portion of the same that shall be found not in accordance with the approved plans and specifications or whose execution is found not consistent with good workmanship.

GENERAL.

SECTION 27. All plumbing fixtures in the building shall have proper connection with the house drain, and all pipes must have a downward inclination to the drain or sewer of not less than one-fourth inch to the foot. Greater inclinations shall be given if practicable. Soil pipes from water closets shall be not less than four inches in diameter.

CONNECTION.

SECTION 28. When practicable, the waste pipes from all fixtures except water closets shall be connected with the soil pipe above the nearest water closet connection, and no such waste pipe shall discharge into the discharge pipe of any closet between said closet and the soil pipe unless such junction be made in the most

favorable position, and unless the trap of such waste pipe be properly ventilated.

DRIPS—OVERFLOW PIPES.

SECTION 29. Drip or overflow pipes from safes under fixtures or from tanks shall be run into some open space where they may be seen, and in no case shall any such pipe be connected with any soil or waste pipe.

CAST IRON PIPE COATING.

SECTION 30. All cast iron pipe used shall be sound, free from holes, and of uniform thickness in any cross-section. Before being connected it shall be thoroughly coated, inside and out, with coal-tar pitch varnish applied hot by immersion, or with some equivalent substance satisfactory to the inspector of buildings.

PRIVY VAULTS OR CESSPOOLS.

SECTION 31. No person or persons shall hereafter construct a privy vault within the limits of the city, on any lot or premises where there is a sewer in any street or alley adjoining such lot or premises. In any locality where sewer is not accessible a privy vault or cesspool if built shall conform to the regulations prescribed by the board of health. If no regulation of said board relates thereto, the location, size and construction of said vault or cesspool shall be subject to the approval of the inspector of buildings and the inspector of plumbing. Plans and specifications for the same shall be included in the plans and specifications for the house plumbing as provided in these regulations.

TANK VALVES.

SECTION 32. All tanks erected after the approval of these regulations shall be of suitable dimensions and provided with the most approved ball cocks and floats, capable of withstanding the pressure to which they may be subjected, and valves which shall conduct a copious supply of water at all times to the fixtures which they serve.

SECTION 33. These regulations shall not be operative over that portion of the city other than the area included within the fire

limits, as established by the city council, except such portion thereof as the regulations of the board of health shall make obligatory upon said otherwise exempted districts.

EXCEPTIONS.

SECTION 34. Any fixture or set of fixtures not provided for in these regulations shall require the unanimous approval in writing of the board of health, the inspector of buildings and the inspector of plumbing. An exception to any one of these regulations shall require the same approval. It shall be made only in a special case, and then only when considered necessary or advisable by those so approving.

PENALTY.

SECTION 35. The penalty for violating any of these provisions or regulations of this ordinance shall be as provided in section 8, chapter 103 of the Revised Laws.

CHAPTER 9.

ERCTION, REPAIR AND CONSTRUCTION OF BUILDINGS.

SECTION 1. This chapter regulating the erection, alteration, repairing and construction of buildings applies to the fire limits which the city council may from time to time establish, divided into two sections and classed respectively district A and district B. The area known as district A is bounded and described as follows, viz.: Beginning at a point in the center of the south branch of the Hoosac river where the same is intersected by a line parallel with and one hundred feet southerly from the southerly line of Summer street, produced to meet the center line of said river; thence easterly along said line parallel with and one hundred feet southerly from the southerly line of Summer street to its intersection with the center line of Church street; thence along the center of Church street, north-westerly to the center line of East Main street; thence easterly along the center of E. Main street to a point in the center of Pleasant street or that which is more commonly known as Miner street; thence northeasterly along the center line on Miner street, so called, to a point in the center of Union street; thence westerly along the center line of said Union street to a point in the center of the north branch of the Hoosac river; thence along the center line of said north branch down stream to its intersection with the center line of the south branch of the Hoosac river; thence southeasterly along the said center line of said south branch of stream to the place of beginning.

Any building any part of which is upon or is intended to be placed upon the area above described shall be subject to the provisions of this chapter which apply to district A. District B shall include all that area within the fire limits that is not included in district A.

SECTION 2. The following terms shall have the meanings respectively assigned. "Alteration," means any changes or addition or additions. "Basement," means a cellar or story of which one-half or more of its height from floor to ceiling is below the level of the street or ground adjoining. "Building," means any structure eight feet or more in height and covering one hundred square feet or more of ground. "Buildings of class one," means buildings of fire-proof construction throughout. "Buildings of class two," means buildings with external and party walls of brick, stone, iron or other equally substantial or non-combustible material. "Buildings of class three," means all buildings not included in classes one or two. "External wall," means every outer wall of a building other than a party wall. "Footings," means a projecting bottom course of walls. "Foundations," means the beds upon which piers, columns, chimneys, etc., rest. "Foundation wall," means, for external walls, that portion below the street or ground adjoining, and for party or partition walls, that portion below the basement bottom. "Party wall," means every wall used, or built to be used, as a separation of two or more buildings. "Partition wall," means any interior wall of masonry. "Repairs," means the reconstruction or renewal of a building damaged by fire or other cause. "Story," means any horizontal portion through a building between floor and ceiling timbers above the basement; or a loft occupied or designed to be occupied; and, so far as relating to construction, every mansard or other roof having a pitch of thirty degrees from level or more, if the inspector so determine. "Thickness of walls," means the thickness exclusive of spaces, and ashlar, unless it is eight inches or more in thickness, in which case the excess over four inches may be reckoned. "Inspector," means the city engineer and inspector of buildings of the city of North Adams, Massachusetts.

SECTION 3. Every building hereafter erected in "district A" shall be constructed in accordance with the provisions for buildings of classes one and two, unless a special permit is granted as provided in section 4 of this chapter.

The alteration or repair of any building in district A shall be subject to the same conditions and regulations as prescribed in this section for construction; provided, however, that any building or

structure which may be damaged by fire or otherwise, to an extent not exceeding forty per cent. of its value, may be repaired and put only in its original condition under the direction and supervision of the inspector of buildings.

SECTION 4. No person, firm, or corporation shall erect, alter or repair any building within the fire limits as described in section 1, except in conformity with the provisions of this chapter, unless a special permit is granted otherwise by vote of the city council and approved by the mayor. No person, firm or corporation shall begin to erect, alter or repair any building within said fire limits without having first, if in district A, filed a copy of plans and specifications with, or if in district B, submitted a copy of plans and specifications to the inspector and obtained his permit therefor; provided, however, that any building by or for the county, state, or the United States shall be exempt from such provision.

Permits shall be granted or refused within five (5) days after the application and submission of plans and specifications.

Every permit shall be considered cancelled if active work is not commenced upon the building within a period of six months, and the permit shall expire by limitation if the building is not completed within a period of one year from the date of its issue.

Nothing in this section shall be construed to prevent the inspector of buildings from granting a permit for the erection of any part of a building, or any part of a structure, when plans and detailed statements have been presented for the same before the entire plans and detailed statements of said building or structure have been submitted.

SECTION 5. Buildings of class 1 shall consist of non-combustible material throughout, except that wood may be used for under and upper floors, sleepers and furring blocks bedded in concrete or plaster, window and door frames, sashes, doors, standing finish, ceilings and hand rail of stairs. All iron and steel to be thoroughly protected against fire, and the construction to be subject to the approval of the inspector. All buildings more than seventy feet in height, except as otherwise provided, shall be of this class.

SECTION 6. Buildings of class two shall have external and party walls built of a good and merchantable quality of brick, stone, iron or other hard and non-combustible material, if of brick, stone or similar material, it shall be properly bonded and laid with well-filled joints and flushed up at every course with mortar and shall not be of less thickness than as follows, provided, however, that no story exceeds twelve feet in height between timbers; for one-story buildings, eight inches; for two-story buildings, the first story twelve, the second story eight inches; for three-story buildings, the first, second and third stories twelve inches; and for four-story buildings, the first story sixteen inches, the second, third and fourth stories twelve inches, or as the inspector in each case may otherwise direct. If any external wall from ground to first story floor timbers exceeds one foot in height it shall be four inches more in thickness than as above given for first stories. For buildings with stories of greater height than twelve feet between timbers, and for buildings of iron or steel construction, the thickness of the walls shall be as the inspector may approve. Party walls shall be carried up not less than sixteen inches above the roof, and coped with stone, terra-cotta or metal securely fastened. Provided that on the front of mansard or steep roofs they may be built up to the roof with boarding well bedded in mortar and properly flashed with metal. All openings in party walls to be provided with such fire resisting doors as the inspector may approve.

Every second class building hereafter built, except as herein-after provided, shall have a sufficient firestop at each floor, covering the whole floor of each story through all stud partitions and extending to the masonry walls. Every air duct, except those expressly sanctioned by this act, shall be effectually stopped at each story. Every such fire-stop shall consist of a solid, air-tight cohesive layer, at least one inch thick, of tile, brick, terra-cotta or like fire-made material, plaster, cement, cinder or ashes, or of a combination of the same, or of equally non-inflammable, non-heat conducting materials laid between the upper and under floors, or occupying all the space between the timbers under the under floor; provided, that all second class buildings hereafter erected, of forty-five feet or more in height, which are used above the first floor as storage

stores, warehouses or stores for the storage and sale of merchandise, shall have a tight splined or tongued and grooved under-floor of at least two inch plank, with an upper floor one inch thick, matched and breaking joints, and in such building fire-stops need not be used. The foot of each partition, and of each tier of studding or furring, shall be filled solid between the uprights to the full width thereof, and to the height of six inches above the floor, with the same incombustibles as above prescribed for fire-stops or some combination thereof. The spaces between such parts of floor-joists as rest above partition heads shall be filled with the materials above required. The spaces between stringers of stair cases and joists of landings, unless unsealed, shall be so stopped with some of the incombustibles above mentioned, at three places at least in every flight of stairs, as to prevent the passage of air.

SECTION 7. Foundation walls shall rest upon solid ground not less than four feet and six inches below the surface exposed to frost, or upon concrete, piles or other durable substance of suitable depth. For buildings of class one and walls built of block stone laid in horizontal courses or of brick laid in mortar, the thickness shall be such as the inspector may approve. If built of rubble stone, for buildings of class two of two stories, and for class three of three stories in height, the thickness shall be not less than eighteen inches at the top and twenty-four inches at the bottom and an additional four inches in thickness for each additional story in height, and such other additional thickness as the inspector deems the circumstances may require, all to be of good quality of stone well bonded and laid solid in mortar. The thickness of foundation walls of all buildings, and the size, shape and quality of the stone or other material used in their construction shall be as approved by the inspector of buildings. They shall be so laid that the wall will be well bonded throughout.

SECTION 8. Footings and foundations, when the inspector deems necessary, shall be of approved dimensions and quality for the superstructure which they support and not overload the material on which they rest, and well bedded.

SECTION 9. Partition walls of brick shall be not less than eight inches in thickness and if more than one story in height, or if used as supporting partitions their thickness shall be as the inspector directs. Partition walls made of hollow brick or terra cotta, or other substances and the structure otherwise supported, the thickness shall be as the inspector may approve, all to be well bonded and laid in mortar.

SECTION 10. Supports for all buildings in basements and cellars shall be of such size, bond, caps and quality as the inspector deems circumstances require.

SECTION 11. Mortar for all purposes must be made of clean, sharp sand and fresh cement or lime, and equal in richness as follows: For below water level and heavy carrying piers, one part cement to two parts sand. For buildings of class one, block stone and brick foundations, ashlar or stone external walls, as the inspector may approve. For rubble stone foundation, party and partition walls in basement and piers, except as otherwise provided, one part cement, one part lime, four parts sand. And for buildings of class two above the ground, chimneys, etc., rich lime mortar.

SECTION 12. In every building hereafter erected, except churches, schools, halls, manufactories or buildings of class one, covering more than five thousand square feet of ground and exceeding sixty feet in width, there shall not be more than fifty feet space between the walls, running from front to rear, without introduction of a partition wall, which shall extend above the roof, and openings provided for in section 6 for party walls. No building hereafter erected shall have a space more than thirty feet in width without suitably sized columns of wood, iron or such other material as the inspector may approve.

SECTION 13. The ends of all floor or roof timbers connecting with masonry walls or partitions shall have a bearing of not less than four inches on each end and so shaped that in case of fire they may fall without injury to said walls. All such timbers connecting with party walls mentioned in section 12, entering from opposite sides shall have not less than four inches of solid masonry between

ends of said timbers. Every tier of floor and roof timbers connecting with masonry walls shall be tied to said walls, and to each other if not in continuous length, with wrought iron straps not less than one and one-half inch in width and three-eights of an inch in thickness, at least, every ten feet, securely fastened to said timbers, or headers cut between, or their equivalent. Trimmers, headers and similar timbers shall be hung in iron stirrups, if in the opinion of the inspector circumstances require it and he so directs.

SECTION 14. All new and renewed floors and roofs of public buildings, warehouses, manufactories, mercantile and other buildings shall be so constructed as to carry safely a weight per superficial square foot, exclusive of material of which the floor is composed, not less than as follows:

Floors for mercantile buildings, one hundred and twenty (120) pounds; for light manufacturing and light storage, one hundred and twenty (120) pounds; for other manufacturing and heavy storage, one hundred and fifty (150) pounds, and upwards in proportion to the loads they have to carry.

In each of these cases the owner shall agree and certify in writing that the floors shall not be used for loads greater than that for which the permit is given, unless another permit is obtained therefor conditioned on a correspondingly increased strength of floor.

Floors for assembly rooms shall be proportioned to carry not less than one hundred (100) pounds per square foot exclusive of material used in construction; for school buildings or other places of instruction, seventy-five (75) pounds; for offices, eighty (80) pounds; for dwellings, fifty (50) pounds; for stables and carriage houses, seventy-five (75) pounds, and for each additional strength in proportion to the load it is to carry; for roofs having a pitch of less than twenty degrees, fifty (50) pounds; roofs having a pitch of more than twenty degrees, forty (40) pounds upon every superficial foot measured on a horizontal plane.

SECTION 15. Roofs of all buildings hereafter erected, or renewed in district A and such existing buildings as the inspector directs; also such buildings in district B as the inspector deems necessary, shall be covered with tin, iron, slate, gravel or other

roofing material not readily inflammable. All roofs of buildings abutting on any street or sidewalk shall be so guarded as to prevent snow, ice or water falling on said street or sidewalk.

SECTION 16. Elevator wells and light shafts, unless built of brick, shall be lined with metal or plastered on metallic lathing and all doors connecting with elevator wells must be fire resisting. In every building hereafter erected, all walls, partitions, channels for water, gas or soil pipes, space between furrings and stair openings, shall be so provided at each floor or ceiling, as to make smoke tight and prevent the rapid run of fire, also the space within stairs midway of stairs. No pipe for conveying hot air or steam in any such building, shall run through floors or partitions or come within one inch of any woodwork, or remain in any existing building if the inspector so directs, unless protected by suitable guards or casings of non-combustible material; also ceilings over boilers and furnaces shall be made of metal or plastered or metallic lathing, if the inspector so directs.

SECTION 17. Chimneys shall not be corbelled from a wall more than the thickness of the wall, nor shall they rest upon wood if the building is more than one story in height. In a one-story building the chimney may be set on wooden posts if the inspector so permits, provided the supports for and construction of the chimney are as he approves. All chimneys shall be built of brick, stone or other non-combustible material.

Of every building hereafter built in district A, and of all buildings more than two stories in height, the chimneys, if of brick, shall have walls not less than eight inches; and chimneys of stone or other material shall have walls not less than eight inches with an additional brick lining of not less than four inches in thickness unless fire clay or tera cotta linings are used, in which case four inches of thickness of walls may be omitted. All other chimneys except in buildings heretofore provided for shall have walls not less than four inches, if of brick, and if of stone or other material, such thickness as the inspector may approve. All chimneys shall be laid with as close joints as practical, well filled with mortar, nicely struck inside and outside, and shall be plastered outside whenever

concealed. No flue shall have a cross section of less area than the aggregate of cross sections of smoke pipes entering it unless the inspector so directs. In no case shall a chimney be carried so as not to be self supporting unless provided with fire clay or terra cotta linings. In all cases the ends of the lining pieces shall be made to fit in close joint; the lining shall be built in as the flue is carried up, and such lining shall be continued to the top of the chimney. All smoke pipes passing through furring spaces, wood partitions, closets, floors, etc., shall be provided with sufficient soap-stone collars, or ventilated space thimbles or pipes. No smoke pipe shall extend through the external wall, side, roof, or window of any building. No furring or woodwork shall be nailed to chimneys. All chimneys shall extend at least three feet above the highest point of contact with the roof, and higher if the inspector so directs. Depositories for ashes in the interior of any building shall be of incombustible material, and in no case shall wooden ash-chutes be used. In case any chimney in existing buildings is, in the opinion of the inspector, dangerous or unsafe, the inspector shall notify the owner or person in charge and the same shall be made safe at once.

SECTION 18. All hearths shall be supported by trimmer arches of brick or stone, or be of single stone at least four inches thick, or by masonry built on iron lintels. The brick jambs and backs of all fire-places, grate or range openings shall be not less than eight inches in thickness. Brick-work over fire-places or grate openings shall be supported by suitable iron lintels or brick or stone arches. In all cases the protection from fire shall be satisfactory to the inspector of buildings and the chief engineer of the fire department.

SECTION 19. Every building hereafter erected, or existing building in which operatives are employed above the second story and every building more than two stories in height and occupied or designed to be occupied above the second story as a tenement, or as sleeping rooms shall be provided with such stairways or fire-escapes as the inspector may approve or direct.

SECTION 20. The inspector or his authorized assistant, shall examine all buildings in process of erection, alteration or repair

as often as practical and existing buildings as soon as may be after the passage of this ordinance if deemed by him as coming within its provisions, and for that purpose he shall have the right of entry thereto, and shall make a record of all violations together with the location of the buildings, the names of the owners, occupants architect and master mechanic and all other matters relating thereto.

In the erection, alteration or repair of any building no part of the same shall be concealed until it has been examined and approved by the inspector or his authorized assistant.

The builder in charge of construction or the owner of the premises shall give notice to the inspector whenever any parts are ready for inspection, if those parts are to be covered in the further construction of the building. The inspector shall respond promptly and in no case shall the inspection be delayed more than twenty four hours after such notice has been received.

If, in the construction of any building, parts thereof have been covered without inspection and approval, it shall be in order for the inspector to cause the removal of such covering as may be necessary for said inspection, and to charge to the owner of the premises all expense arising from such removal. Any faulty construction that shall be thus found to exist shall be subject to the same procedures as other violations of the provisions of this chapter.

Any violations of the provisions of this chapter, or the conditions for the erection, repair or alteration of any building, shall be reported to the owner of the premises or to his duly authorized agent. In case he fails to correct such violations at once, the same shall be reported to the city solicitor.

SECTION 21. Whoever violates any provision or provisions of this chapter shall be liable to a fine not exceeding one hundred dollars (\$100).

CHAPTER 10.

LAYING OUT, LOCATING ANEW, ALTERING OR DISCONTINUING STREETS, WAYS OR HIGHWAYS.

SECTION 1. Petitions for the laying out of a street, or for altering, locating anew or discontinuing of any existing street, way or highway, within the city limits, shall be presented to the city council at a regular meeting. In all cases except where a street is to be discontinued the petition must be accompanied by a profile of the same and by a description defining clearly and accurately the lines bounding said proposed street, and also a map showing such boundary lines and the position of the monuments which mark the same, and stating plainly both in words and in figures the width of the proposed street and the magnetic bearings of the boundary lines. The said petition shall also include a list of abutting property owners so far as known. If the city council refer such petition to a committee, the said committee may, if it so elects, direct the city engineer to make examination of the lines and monuments as indicated on the said map and report to it over his own signature his findings together with such suggestions as may seem to him fitting.

SECTION 2. No street shall be laid out by the city council of a width less than forty feet unless upon the written recommendation of the committee of the city council, to which such petition is referred, the commissioner of public works and the city engineer that such width is not practicable, in which case a street not less than thirty-three feet in width may be laid out.

SECTION 3. No street shall be laid out unless the abutters shall have released to the city without compensation the necessary land, nor until a grade shall have been established satisfactory to the city engineer and the commissioner of public works and the surface

of said proposed street has been reduced to the grade so established. This section, however, shall not apply to proceedings instituted and had under the provisions of law relating to the assessments of betterments.

SECTION 4. The committee of the city council, to which such petition is referred may direct the city engineer to make survey for and to recommend a grade for such proposed street. No grade for any street shall be adopted until a notice in writing has been sent by the city engineer to each owner, if known, of property abutting on said proposed street, inviting him to examine a profile showing the same, said profile to be on exhibition during a period of not less than five days in the office of the city engineer. Said notices shall state the time during which said profile shall be on exhibition, also a time when said owners of abutting property may state grievances or make objection to such proposed grade. The board to hear such grievances shall consist of the commissioner of public works and the city engineer. After such hearing the board to hear grievances, as above constituted, shall consider and adopt a grade for such proposed street that shall be submitted to the city council. If adopted by the city council and approved by the mayor the same shall be final.

CHAPTER 11.

RELATING TO THE PLACING OF SEWER OR WATER PIPES IN STREETS THAT HAVE NOT BEEN ACCEPTED BY THE CITY.

SECTION 1. No sewer or drain to connect with the sewage system of the city or any part thereof shall be placed in any private street or way, or in any street or way that has not been accepted as such by the city unless the location, grade and alignment of said sewer or drain has been approved by the city engineer and the construction of said sewer or drain placed under his supervision. No water pipe shall be laid on such street or way unless under the supervision of the superintendent of water works; the grade and alignment for water pipes shall be established in the same manner as for sewers and in either case shall provide for grading the street to a surface recommended by the commissioner of public works and the city engineer; such recommendation and the survey necessary therefor shall precede the laying of said pipes.

SECTION 2. It shall be in order for the commissioner of public works to direct the laying of pipes for water or sewage in any street or way that has not been accepted as such by the city whenever in his opinion the needs of the people owning property abutting on said street or way, and the interests of the city are best served by the laying of such pipes, providing, however, the conditions prevail as stated in the following sections.

SECTION 3. A perpetual right to construct and forever maintain or at any time repair such piping for water or sewage through such private street or way shall be granted by the owner or owners thereof to the city of North Adams, and must include the free and unobstructed use of or use for the above mentioned purpose of a right of way whose width shall be determined by the commissioner

of public works and owner or owners of the property. Such right of way shall not at any time be occupied by any structure or attachment thereto; nor shall the city of North Adams, insofar as such agreement concerns, occupy said right of way for purposes other than of construction, maintenance or repair of said sewer or water pipes.

SECTION 4. The person or persons owning property abutting on said street or way must waive all claims for damages that may be caused by the placing or laying of said pipes for sewer or water, and all claims for damages that may be caused by the grade of said street or way as recommended by the commissioner of public works and the city engineer, except such damages as may be caused by incompetent or careless workmanship during construction.

The city engineer shall place on file in his office a profile of said street or way showing the recommended grade as above indicated.

SECTION 5. These provisions are intended to apply only to those areas whose use is for the common convenience and travel of occupants on either side of said way, and not to grounds held strictly in private by the owner.

SECTION 6. During the laying of water or sewer pipes the city shall protect the trenches by lights or guards to prevent accident the same as along its work on accepted streets, and refill the trench, leaving it in reasonably good condition; but the city does not agree to place said street or way in safe and convenient condition for travel, nor does it become responsible for damages that may result from accident in the continued use of or travel upon said street or way.

The city not to claim any right in any such street or way for purposes other than the use of its sewer and water pipes, and all expense and labor for maintaining the street surface and caring for surface water along the same must be provided by the same person or persons to whom its care would have belonged had no sewer or water pipes been placed therein.

SECTION 7. All connections with the sewer herein provided must be under the supervision of the engineering department.

CHAPTER 12

PREVENTION OF INJURIOUS PRACTICES IN STREETS.

SECTION 1. No person, except the superintendent of outdoor work or the superintendent of the water works in the performance of their duties, shall break or dig up the pavement or ground in any public street, or any sidewalk or common in the city, or erect any staging for building thereon, or place any materials or rubbish thereon, without first obtaining from the commissioner of public works a written permit stating the space in the street or other public place that may be occupied, and the time allowed for such occupancy, and such other provisions as he may deem best, and filing with the city clerk a written agreement under seal, approved by said commissioner, to comply strictly with the terms of the permit and indemnify the city from all loss, cost or expense that it may suffer by reason of such occupancy.

SECTION 2. Whenever any street, lane, alley or sidewalk or other public place in the city, shall, under any permit be granted as provided in the preceding section, be dug up, obstructed, encumbered or otherwise thereby rendered unsafe or inconvenient for travel, the person receiving such permit shall put, and at all times keep up, a suitable railing or fence around the section of the street, lane, alley or other public place so obstructed so long as the same shall remain unsafe or inconvenient as aforesaid and shall also keep one or more lighted lanterns fixed to such fence or fixed in some other proper manner, every night from twilight in the evening through the whole night, so long as such railing or fence shall be kept standing or obstruction remain. He shall also within such reasonable time as the commissioner of public works shall direct, amend and repair such street, lane, alley, sidewalk or public place to the acceptance of the superintendent of out-door work.

SECTION 3. No person shall place or maintain any awning or shade over any part of any street or sidewalk, unless the same be safely and securely fastened and so located and constructed as in nowise to incommodate passengers, the lowest part thereof to be at least seven feet above te sidewalk and in no case to extend beyond the line thereof. No such awning or shade shall be placed or maintained without written permission from the commissioner of public works, which permission shall be revocable, and any person, having such permission, so placing or maintaining such awning or shade, shall in all respects conform to any direction in relation to the location, extent, materials, construction and maintenance thereof which shall be given by the commissioner of public works.

SECTION 4. No person shall suspend or display, or cause to be suspended or displayed, any sign, flag, article of merchandise, or other thing over any sidewalk or street in the city unless the lowest part thereof be at least seven feet above the sidewalk or street, and no such sign, flag, article of merchandise, or other thing shall be so suspended or maintained without written permission from the commissioner of public works, which permission shall be revocable, and any person having such permission and suspending or displaying any such sign, flag, article of merchandise or other thing, shall in all respects conform to any directions in relation to the location, extent, construction and maintenance thereof which shall be given by the commissioner of public works. No sign, article of merchandise or any other thing shall be displayed or maintained on any street or sidewalk in the city.

SECTION 5. No person shall put or place, or cause to be put or placed, in any street, lane, alley or other public place in the city, any house-dirt, ashes, filth, shells, any piece of hoop, board, wood, wire, glass, tacks, or any other material injurious to the feet of horses or to pneumatic tires of bicycles or other vehicles, or other kinds of rubbish, or distribute or cause to be distributed or thrown, any handbills, circulars, pamphlets, advertisements, or other papers except newspapers to purchasers thereof.

SECTION 6. No person shall suffer his firewood, coal or other fuel to remain unnecessarily on any sidewalk or in any street, lane

or alley, in the principally inhabited parts of the city, over night or after twilight in the evening, and in case it must of necessity so remain after twilight or through the night, the said owner shall place and keep a sufficient light over or near the same through the night to prevent injury therefrom.

SECTION 7. No person shall permit any sheep, goat, swine, mule, ass, horse or neat cattle belonging to him or under his control to go at large or to pasture in any street, lane or alley or on any common in the city.

SECTION 8. No person shall drive any horse or horses in any street, lane or highway in the city at a rate of speed exceeding eight miles per hour.

SECTION 9. No owner, driver or other person having charge or control of any vehicle used for the purpose of conveying from place to place within said city, for hire, any wood, coal, lumber, stone, brick, sand, gravel, clay, dirt, rubbish, goods, wares, furniture or merchandise, shall stand or wait with any such vehicle for orders or employment, or permit such vehicle so under his charge or control to stand for orders in any street, lane, court, public way or public place within said city other than such stands as may be assigned by the commissioner of public works.

SECTION 10. No owner or driver or other person having the charge or control of any vehicle licensed for the conveyance of persons for hire shall permit such vehicle to stand or wait, except when waiting for the return of a passenger temporarily absent, on any part of any street, square, lane, court, public way or public place within said city other than the stand which may be assigned therefor under the provisions of this section. The commissioner of public works shall from time to time assign to the owners or persons having charge or control of such licensed vehicle, stands, in such streets or public places as he may select, for the occupation of such vehicle awaiting hire; and any person violating the provisions of this section, shall, in addition to the penalty in this chapter hereinafter provided, have his license forthwith revoked.

SECTION 11. No person shall drive, wheel, draw or push any cart, wheelbarrow or other vehicle of burden or pleasure upon or

along any sidewalk in this city except for the purpose of crossing such sidewalk to go to or out of some adjoining enclosure, provided, this section shall not apply to children's carriages drawn by hand.

SECTION 12. No person shall stand with or permit any team under his control or care to stand across any public highway or street in such manner as to obstruct the travel over the same, and no person shall stop with any team in any public street at the side of or so near to another team as to obstruct public travel, and no person shall stop with any team or carriage upon or across any crosswalk in any street or highway in the city.

SECTION 13. No person shall permit any goat, sheep, swine, horse, mule; ox or cow under his care to go upon any sidewalk in the city, except for the purpose of crossing such sidewalk to go to or from some adjoining inclosure.

SECTION 14. No person shall place or cause to be placed on any street, sidewalk, footwalk or crosswalk in this city any salt or substance containing salt; nor any article or thing whatsoever that interferes, in any manner whatsoever, with the convenient use of such street, sidewalk, footwalk or crosswalk by any person travelling thereon, on foot or with teams.

SECTION 15. No person shall train, break or exercise for the purpose of breaking, training or to accustom to the street cars, any horse or mule upon the following streets and parts of streets in the city of North Adams, to wit:—Main street, between the Phoenix Bridge and Monument Square; Ashland street, between Main street and the Boston & Maine Railroad crossover; State street, between Main street and the ice house occupied by William Orr; Eagle street, between Main street and Union street; and Union street between Eagle street and the Eclipse dam.

SECTION 16. No person shall move or cause to be moved any building through any public street in the city without first obtaining from the commissioner of public works a written permit therefor, stating the streets through which, and the time within which, the building may be moved and any other provisions that he may deem best, and filing with the city clerk a written agreement under seal,

approved by said commissioner, to comply with the terms of said permit and indemnify the city for all loss, cost or expense it may suffer by reason of the moving of such building.

SECTION 17. No person shall throw or put or cause to be thrown or put any snow or ice into any street, lane or alley in the city, unless the same shall be broken up and spread evenly over the surface of such street, lane or alley.

SECTION 18. No person shall saw any wood or pile the same on the sidewalk of any street or way in the city.

SECTION 19. No person shall expose in or upon any street, lane, alley, public place or common in the city, any table or device of any kind, by or upon which any game of hazard or chance can be played; nor shall any person play any such game at such table or device in or upon any street, lane, alley, public place or common in the city.

SECTION 20. No person shall keep or place any table, stall, booth or other erection in any street, lane, alley or public place or on any square or sidewalk in the city for the sale of fruit or other things.

SECTION 21. No person shall discharge any gun, pistol or other firearm in any of the streets, highways, public squares or commons in the city; provided, this section shall not apply to the use of such weapons in the lawful defense of the person, family, or property of any one or in the performance of any duty required by law nor to the firing of a salute of cannon or artillery by permission of the mayor.

SECTION 22. No person shall set fire to any rocket, cracker, squib, serpent, or other fireworks or make any bonfire in any street, lane, highway, public square, or common in the city without permission from the mayor.

SECTION 23. No person shall wantonly injure, mar, deface, or destroy any fence, guidepost, signboard, awning, lamp post, lamp, or lantern in any street, square or public place in the city.

SECTION 24. No person shall cut down, remove, injure or destroy any fruit, shade or other tree growing or being in any public

lane, alley, common or other public ground in the city without the permission of the commissioner of public works. And no person shall fasten any horse or other animal to any such tree.

SECTION 25. No person shall remove any street dirt or manure from any public street, lane, or alley in the city without authority from the superintendent of out-door work.

SECTION 26. No person shall behave himself in a rude and disorderly manner, or use any indecent or profane language in any street, alley, lane or other public place in the city.

SECTION 27. No person shall swim or bathe in any pond, stream, or river in the city, divested of clothing so as to be indecently exposed to the view of any person lawfully passing or being in or upon any street, alley, lane, common, square, railroad or other public place within the city.

SECTION 28. No person shall allow any sink water or other impure water, to run from any house, barn or lot occupied by himself or under his control into any street or highway in the city.

SECTION 29. No person shall allow any gate or door belonging to premises owned or occupied by him or under his control to swing on, over or into any street or sidewalk in the city.

SECTION 30. No auctioneer shall hold his sale upon any sidewalk or other thoroughfare in the city, so as to obstruct or prevent the free and convenient use of the same by foot passengers traveling thereon.

SECTION 31. No person or persons shall at any time whatsoever carry into or through any public street of the city any part of the contents of any privy vault or cess pool in any cart or wagon or other vehicle or utensil which shall not be closely covered, watertight and kept clean upon the outer surface.

SECTION 32. Three or more persons shall not stand together or near each other in any street, or on any footwalk or sidewalk in the city, so as to obstruct the free passage for foot passengers and any person or persons so standing shall move on immediately after a request to do so made by the mayor, chief of police, any police officer or watchman. No person shall purposely or wilfully

obstruct the free passage of foot travelers nor shall any person loiter for more than five minutes upon a sidewalk after being directed by the mayor, chief of police or any police officer to move on.

SECTION 33. No person shall be or remain upon the steps of, or other projection from any church, hotel, hall, or public building, nor in any hall, space or way leading thereto, so as to incommodate or obstruct the passage to and from such church, hall, hotel or building. And every person so being or remaining when ordered by the mayor, chief of police, watchman, owner, agent or other person having charge of said church, hotel, hall or other public building shall immediately depart therefrom.

SECTION 34. No person shall, within the limits of any street or highway in the city play any game of ball, or fly any kite or balloon, or throw any stones or other missiles, or engage in any other game, amusement or exercise interfering with free, safe and convenient use of such street or highway by any person traveling or passing along the same.

SECTION 35. No person shall project by means of any air pipe, blow pipe, air gun, pop gun, spring gun, bow gun or cross-bow any missile or substance whatsoever in or into any public street, highway, court, square, park, avenue or place within the city.

SECTION 36. No person shall course, coast or slide on any sleigh or other vehicle in, along or upon any street or portion thereof unless such street or portion thereof shall be designated for such purpose by the commissioner of public works.

SECTION 37. No person shall course, coast or slide upon any sled, board or other thing, upon any sidewalk or footwalk in the city.

SECTION 38. The tenant, occupant, and in case there be no tenant, the owner or person having the care of any estate abutting upon any street, lane, court or square within the city where there is a sidewalk which now is or may hereafter be established or set apart as such, shall, after the ceasing to fall of any snow thereon, within eighteen hours cause the same to be removed therefrom.

SECTION 39. Whenever any snow shall be collected or deposited upon any sidewalk mentioned in the preceding section, either

by falling from some adjoining building or by drifting upon said sidewalk, the tenant, occupant and in case there be no tenant, the owner or person having charge of the estate abutting upon said sidewalk, shall within eighteen hours after its being so collected or deposited cause the same to be removed therefrom.

SECTION 40. Whenever any sidewalk mentioned in section 38 of this chapter shall be encumbered with ice, it shall be the duty of the tenant, occupant, and in case there be no tenant, the owner or person having care of the estate abutting thereon, to cause such sidewalk to be made safe and convenient for travel by removing the ice therefrom as far as practicable and by covering any ice remaining with sand or other suitable substance within eighteen hours after such sidewalk shall have become so encumbered, and no unsafe or inconvenient condition of any sidewalk shall be allowed by said tenant, occupant or owner for more than six consecutive hours between four o'clock a. m. and ten o'clock p. m. of any day.

SECTION 41. No person shall permit water from the eaves or leader pipes of any building owned or cared for by him to be discharged upon any public street or sidewalk in the city and no person between the hours of eight o'clock in the morning and ten o'clock in the evening, shall wash or allow to be washed any windows or walls of a building owned or cared for by him in such manner as to cause the discharge of water upon any public sidewalk or walk devoted to the public use.

SECTION 42. No person shall sprinkle any of the public streets of the city by the use of street sprinkling wagons or carts unless he or his employer shall have first obtained a written permit as hereinafter provided. The commissioner of public works shall issue permits to such parties and on such terms and conditions as he may deem proper and a record shall be kept of all permits so issued. Such permits may be revoked by the commissioner of public works at any time and if not revoked shall expire on the first day of April following their date.

SECTION 43. Whoever shall offend against, or fail to comply with any of the provisions of this chapter, shall for each and every

offence forfeit and pay a penalty of not less than two dollars (\$2) nor more than twenty dollars (\$20).

SECTION 44. No person shall be prosecuted for any offence against any of the provisions of this chapter, unless complaint for the same shall be instituted and commenced within six months from the time of committing such offence.

SECTION 45. The chief of police, and all police officers and watchmen are especially charged to see that the provisions of this chapter are enforced.

CHAPTER 13.

RELATIVE TO DEPOSITS FOR THE PERPETUAL CARE AND IMPROVEMENT OF CEMETERY LOTS.

SECTION 1. The City of North Adams, under authority of section 18, chapter 78 of the Revised Laws of Massachusetts, will receive from any person holding or interested in a lot in either of the cemeteries of said city, any sum of money, not exceeding five hundred (\$500) dollars, for the purpose of providing for the perpetual care and improvement of such cemetery lot.

SECTION 2. The City Treasurer, shall allow interest on all such deposits and credit the same on May 1st next and at the end of each year thereafter at a rate per annum equal to the highest rate allowed as interest or dividends on deposits in the last preceding year in which the same are allowed by any savings bank, located in said city, deemed by him a sufficiently safe depository for deposit of the city's funds, which rate allowed shall not be less than the average rate paid by said city as interest on its notes or bonds issued for terms exceeding two years, during the last issued for terms exceeding or the last year preceding in which it had such notes or bonds outstanding.

SECTION 3. The City Treasurer is hereby authorized, when such a deposit is made, to give such person an agreement or obligation in the following form: THE CITY OF NORTH ADAMS acknowledges the receipt from of the sum of Dollars, paid for the perpetual care and improvement of Lot No. in Cemetery in said city, under the provisions of section 18, chapter 78, of the Revised Laws.

Said city agrees therefor to allow interest thereon to be credited on May 1st next and at the end of each year thereafter at the rate

per annum equal to the highest rate allowed as interest or dividends on deposits in the last preceding year in which the same are allowed by any savings bank located in said city, deemed by the City Treasurer, a sufficiently safe depository for deposit of their funds, which rate allowed shall not be less than the average rate paid by said city as interest on its notes or bonds issued for terms exceeding two years during the last preceding municipal or the last year preceding in which it had such notes or bonds outstanding.

Said city further covenants to and with said heirs and assigns and all persons who may have a right of burial or to keep a body buried in said lot, to apply each year the interest allowed on said fund for the preceding year.

Should the city officer charged with the care of said lot hereunder deem it necessary to expend in any year the full amount of interest credited, the city shall retain the amount not needed and add the same to the principal of the fund as an accumulation unless requested in writing by some covenantee to expend the full amount in that year, and interest shall be allowed on such accumulation as part of the principal.

Such accumulation above the original amount of the fund may at any time be used by said city in repair or replacement of the monuments on said lot or in any extraordinary expense, proper to incur upon the same, provided that it shall not, without the consent of all known parties having a right in the lot, erect any monument different in design, marking or material from the original replaced by it.

SECTION 4. The City Treasurer shall annually on May 1st, make a statement to the Commissioner of Public Burial Places, showing the amount of income which has accrued upon each separate deposit and of the several lots in the public burial grounds of said city upon which the said income may be expended. The City Treasurer shall pay the said income to the said Commissioner.

SECTION 5. The City Treasurer shall in his annual report make a statement showing the liability of the city in connection with each deposit made under the provisions of this ordinance.

SECTION 6. The Commissioner of Public Burial Places shall receipt for and faithfully apply all sums of interest so received by him in accordance with the statement so made and the agreement given by said City Treasurer.

CHAPTER 14.

PUBLIC LIBRARY

SECTION 1. The trustees of the public library of the city of North Adams shall meet as soon as may be after the first Monday in January in each year, and organize themselves into a board by the choice of a chairman and secretary from their own number; and a majority of said board shall be required for the transaction of business.

SECTION 2. The secretary shall have the care and custody of all books, records, papers and documents belonging to the board, and shall record all the doings of said board in a book to be furnished by said city; and he shall deliver said books, records, papers and documents to his successor in office.

SECTION 3. The board of trustees shall have full power to appoint a librarian and all subordinate officers whom they may deem expedient, fix their compensations and remove said officers at pleasure.

SECTION 4. All money appropriated for the public library shall be expended by said board of trustees for paying the librarian and assistants, for warming, lighting and furnishing the rooms, and in purchasing books and such other things as may in their judgment be for the benefit and advantage of the institution.

SECTION 5. The said board of trustees shall have the care and custody of the library rooms so far as they may be used by the public library, and shall have the sole custody of the books and management of the library, and shall have full power to make any and all needful and suitable regulations concerning said library and reading rooms and the use thereof.

SECTION 6. The said trustees shall annually on or before the second Tuesday of December lay before the city council a detailed report of their doings and the condition of the public library.

CHAPTER 15.

RELATING TO ICE FOR DOMESTIC USE.

SECTION 1. All persons, who intend to sell or distribute ice shall before doing so, and in each year give notice of such intention in writing to the board of health, which notice shall state particularly the source or sources from which their ice is to be taken, and each person in giving such notice, shall pay to the city treasurer of the city of North Adams, when a single source of supply is to be used, the sum of ten dollars to defray the expense of examination and analysis; if more than one is used, for each additional source of supply they shall pay the sum of five dollars (\$5).

SECTION 2. The board of health shall, without unnecessary delay, upon receiving the notice mentioned in Section 1, with evidence that the specified payment has been made, and at such other times as may be deemed proper, examine the ice sold or intended to be sold or offered for sale in this city, and shall also examine the sources of supply and water of any pond, reservoir or place where such ice is harvested or manufactured, and cause to be made a careful analysis of such ice and the water from which the same is made.

SECTION 3. The board of health shall, immediately after any such analysis or examination, make an adjudication as to whether such ice is pure or impure and fit or unfit for domestic use, and file a copy thereof, together with a copy of the analysis and examination, with the city clerk, who shall safely keep the same for examination and reference. Notice in writing of such report, adjudication and filing signed by the chairman of such board or by its agent, shall be served upon any person, party or corporation owning or having such ice for sale.

SECTION 4. No ice shall be sold or delivered in said city, until after such examination, analysis and adjudication, and then not

unless the same shall be declared pure and fit for domestic use by the said board of health.

SECTION 5. All persons who sell or distribute ice in this city for domestic purposes, shall permit the board of health at all reasonable times, to have access to and freely examine the ice intended for such supply, and shall permit samples to be taken by it from time to time for the purpose of analysis.

SECTION 6. Whoever violates the provisions of either of the above sections of this chapter shall be punished by a fine not exceeding twenty dollars (\$20) for each offence.

CHAPTER 16.

RELATING TO THE SALE OF MILK.

SECTION 1. No milk shall be sold in the city of North Adams after the passage of this ordinance, except from cows that have been subjected within one year to examination that shall be satisfactory to the board of health and to the inspector appointed by the mayor and the council of the city of North Adams under section 12, chapter 90 of the Revised Laws of Massachusetts, and pronounced free from the disease known as tuberculosis or any other disease that may render the milk injurious to man.

In case an examination made by any person other than the inspector of the city of North Adams, shall be unsatisfactory either to him or to the board of health, a proper examination shall be made by said inspector for the city of North Adams, and his decision shall be final.

SECTION 2. Any person selling or distributing milk, or keeping cows from which milk is sold or distributed in the city of North Adams, shall, upon the addition of any cow or cows to his dairy, immediately give notice to the board of health of such addition, and the board of health shall thereupon order an examination of such animal or animals to be made, as provided in section 1 of this ordinance.

Any person selling or distributing milk in the city of North Adams, shall at the time of taking out his license, inform the board of health, in writing, of all sources from which he receives his supply, and upon making any change whatever in the sources of supply shall immediately give notice to the board of health of such change.

SECTION 3. Whenever the board of health shall deem it necessary, but not less frequently than once during each year, it shall make or cause to be made an inspection of all dairies and other places from which milk is sold in the city of North Adams, and shall

keep a written report of the result of such inspections on file in its office for public examination and reference.

SECTION 4. All such premises, and all vessels and vehicles used in the business of selling or distributing milk, shall be kept in a perfectly clean and sanitary condition and at all times acceptable to the board of health, and no person who refuses to allow such inspection to be made in accordance with section 3 of this ordinance, or who fails to keep his premises, vessels and vehicles as above mentioned in such cleanly and sanitary condition as shall be satisfactory to the board of health, or fails to comply with the written orders and recommendations of the board of health, or to provide such proper light and ventilation of his stables and such sources of water supply as the board shall deem necessary, shall be allowed to sell or distribute milk in the city of North Adams.

SECTION 5. Every person keeping cows from which the milk is sold in the city of North Adams, shall have a room entirely apart from the stable, (although it may be in the same building if desired,) in which the milk shall be strained and cooled, said room to have a tight floor and the side walls and ceilings to be made of matched lumber or battened, unless lathed and plastered. No water-closet, earth closet or privy shall be within or communicate directly with this room. The walls and ceilings of all cow stables shall be cleaned and white-washed at least twice a year, and oftener if required by the board of health; nothing in this section, however, shall be interpreted to prevent the cooling of milk in spring houses when same are properly constructed.

SECTION 6. No person who is suffering from, or who is suspected of having typhoid fever, diphtheria or any other contagious disease, shall, while so suffering, be engaged in the care of cows or the handling of milk in places from which milk is to be sold or distributed in the city of North Adams.

Every person being in any way engaged in, or connected with, the production, handling, selling or distribution of milk or cream, sold or offered for sale in the city of North Adams, is required to immediately report to the board of health of North Adams, all

cases, or suspected cases of contagious diseases occurring in the family or household of said person.

SECTION 7. Every person selling milk or offering it for sale in a store, booth or stand in the city of North Adams, shall keep such milk in a refrigerator or other perfectly tight receptacle entirely separate from any food or other contaminating produce, said refrigerator or other receptacle to be provided with ice during the warm months, or at any other time when required so to do by the board of health.

SECTION 8. Any person, party or corporation violating the provisions of this chapter, shall be punished by a fine not exceeding twenty dollars (\$20) for each offence.

SECTION 9. Any person, party or corporation after being notified by the board of health to discontinue the sale of milk in the city of North Adams who shall sell or distribute any milk in the city of North Adams until he receives permission in writing so to do from the board of health, shall be punished by a fine not exceeding twenty dollars (\$20) for each offence, and his license to sell milk in this city shall be revoked.

CHAPTER 17.

INSPECTOR OF WIRES AND WIRING WITHIN BUILDINGS.

INSPECTOR OF WIRES.

SECTION 1. The commissioner of public works shall appoint an inspector of wires, who shall be superintendent of the fire-alarm and police signal system, and shall be under the direction and control of said commissioner; shall hold office until his successor is duly appointed, and who shall perform all the duties required by the provisions of chapter 122 of the Revised Laws of Massachusetts and acts in amendment thereof.

SECTION 2. Such inspector shall give his whole time to the city, and for all services shall be paid one thousand dollars each year.

WIRING WITHIN BUILDINGS.

SECTION 3. No person shall construct within a building a wiring system which is designed to carry an electric light, heat or power current, until the owner or person constructing the same has filed with the inspector of wires a plan thereof showing the whole wiring system within the building and the points of connecting with outside circuits. No person shall add to or alter within a building any portion of the wiring system which is designed to carry an electric light, heat or power current (except to make necessary repairs) until the owner or person constructing the same has filed with the inspector of wires a plan thereof and of such portions of the whole wiring system within the building and the points of connection with outside circuits as the inspector of wires shall require.

No person shall commence the work provided for in such plans, until they are approved in wiring by the inspector of wires. Plans and specifications shall be approved or rejected within one week of the time of filing. After a plan has been approved, no altera-

tion therein shall be allowed, except on a new application and permit as provided in this section.

No wires specified in this section shall be covered or concealed from view, until approved by the inspector of wires, who shall examine the same within three week days (legal holidays excepted) after notice that they are ready for inspection. No electric current shall be turned upon such wires until they have been approved in writing by the inspector of wires.

The Rules and Regulations of the National Electric Code, as established from time to time, shall be the standard of wiring.

SECTION 4. Any person violating the provisions of section 3 of this chapter shall be punished by a fine not exceeding twenty dollars for each offence.

CHAPTER 18.

PROHIBITING PERSONS UNDER 16 YEARS OF AGE FROM BEING ON THE STREETS, ALLEYWAYS OR PUBLIC PLACES AT NIGHT AFTER 9 O'CLOCK.

SECTION 1. It is hereby made unlawful for any person under sixteen years of age to be or remain in or upon any of the streets, alleys or public places in the city of North Adams at night after 9 o'clock, unless such person is accompanied by a parent, guardian or other person having the legal custody of such minor person or is in the performance of an errand or duty directed by such parent, guardian or other person having the care of such minor persons, or whose legal employment makes it necessary to be upon the streets, alleys or public places during the night time after said specified hour. Provided, This exception shall not apply when the person under age shall be playing or unnecessarily loitering in or upon said street, alley or public place, whether alone or accompanied by a parent, guardian or any person whomsoever. Whoever violates the provisions of this section shall be punished by a fine not exceeding five dollars (\$5).

SECTION 2. It is hereby made unlawful for any parent, guardian or other person having the legal care and custody of any person under sixteen years of age to allow or permit any such child, ward or other person under such age while in such legal custody to go or be in or upon any of the streets or public places in said city within the time prohibited in section 1 of this ordinance, unless there exists a reasonable necessity therefor. Whoever violates the provisions of this section shall be punished by a fine not exceeding ten dollars (\$10).

SECTION 3. Be it further ordained, that no child or minor person arrested under the provisions of this ordinance shall be

placed in confinement until the parents or guardian of such minor person shall have been notified of such arrest and shall have refused to be responsible for the observance of the provisions of this ordinance by said minor person.

CHAPTER 19.

REGULATING THE NUMBERING OF TENEMENTS AND BUILDINGS ON STREETS OR WAYS.

SECTION 1. It shall be the duty of the city engineer to assign a number to all tenements and buildings on streets that have been accepted as such or that belong to the city to maintain, or that has a city water supply or a public sewer therein, and shall hereafter upon the acceptance of any street, or the placing therein of a city water pipe or a public sewer, proceed at once to the assigning of numbers for each tenement or building built or to be built therein, and may upon the petition of twenty-five per cent. of the property owners along any street or way open for the convenience and travel of the public, although not accepted as such by the city, nor having a city water pipe or a public sewer, proceed to assign numbers in accordance with the provisions of this chapter.

SECTION 2. Said number shall each cover a frontage of twenty feet with the odd numbers on the northerly and westerly sides and the even numbers on the southerly and easterly sides of the streets except upon streets whose center line makes, with the meridian, an angle equal to about 45 degrees, in which case the side for odd or even numbers shall be discretionary with the city engineer.

SECTION 3. The owner or occupant of every tenement or building to which the city engineer shall assign a number shall cause to be placed and maintained on or over the outside doors fronting on the street or way, or on the front corners of every tenement or building having their entrance on the side thereof, such number as shall be assigned by the city engineer, said numbers or figures not to be less than two inches in height, and to be of material and form approved by the city engineer, to be securely fastened and so placed as to be easily observed from the street in front of the premises.

SECTION 4. Any owner or occupant of a tenement or building who, after notice from the city engineer, neglects or refuses for a period of more than five days to affix to the same the number assigned therefor, or who affixes upon such tenement or building, or retains thereon for a similar period any number other than the one so assigned shall be punished by a fine not exceeding twenty dollars (\$20) for each offence, and shall also pay the expense of placing the proper number on the tenement or building by the city engineer or his authorized agent.

CHAPTER 20.

ESTABLISHING THE OFFICE OF ASSISTANT CITY CLERK.

SECTION 1. The office of assistant city clerk is hereby established. The assistant city clerk shall be appointed by the city clerk, sworn to the faithful discharge of the duties of the office, and hold office until a successor is appointed and qualified; said assistant shall assist the city clerk in the performance of the duties of his office, discharge the duties of the same when that officer is absent, unable to act or when there is a vacancy in that office. The compensation of the assistant city clerk shall be paid from the appropriation for City Clerk's Department.

CHAPTER 21.

ESTABLISHING THE SALARY OF THE SEALER OF WEIGHTS AND MEASURES.

SECTION 1. The Sealer of Weights and Measures shall be paid a salary of six hundred dollars each year.

SECTION 2. He shall account for and pay over to the city treasurer at least every three months the fees received by him by virtue of his office; at each time of such payment he shall furnish an itemized statement of said fees, and shall keep a book in which he shall enter the fees so received by him with the date of the receipt thereof and the names of the persons from whom received; said book shall be open to the inspection of the mayor, treasurer and auditor.

CHAPTER 22.

REGULATING THE CONSTRUCTION AND MAINTENANCE OF UNDER-GROUND WIRES AND CONDUITS.

SECTION 1. No permit to place wires, structures and other appliances for the transmission of intelligence by electricity or otherwise or for the purpose of light, heat or power, under public ways or places shall be valid until the person or corporation to which such permit shall be granted, shall execute and file with the city clerk a bond, satisfactory in form to the city solicitor, with surety or sureties approved in writing by the mayor and president of the city council in a penal sum of not less than ten thousand dollars, conditioned to indemnify and save harmless the city of North Adams against all loss, cost, damage and expense whatsoever, to which the said city may be subjected in consequence of the acts or neglects of such corporation, its officers, agents or servants, and in any manner arising from or growing out of the use and transmission of electricity, the privileges permitted by the city, and the construction, maintenance, operation, and use of lines, wires, cables, conduits, constructions, fixtures and apparatus. The bond shall also be conditioned to fulfill all agreements with the city, all the lawful orders, conditions and obligations imposed by the city council and all and duties required by law, and by this ordinance and every other ordinance, and all additions and amendments relating thereto. A new bond of like import, and with new surety or sureties to the satisfaction of the mayor and president of the city council shall be executed and filed at any time upon their request in writing.

SECTION 2. Whenever a permit shall be granted by the city council to construct and maintain ducts, conduits, manholes, or other fixtures under public ways or places, to hold or contain lines or wires for the transmission of intelligence by electricity, or for any other purpose, the person or corporation to which such permit is

granted shall within thirty days from the date of such permit, file in the office of the city clerk a written acceptance without reservation of the location of such ducts, conduits, manholes or other fixtures and of all the lawful conditions, terms and provisions contained in the permit and the ordinances of the city and future amendments thereof, and an agreement to carry out, observe, perform and be subject to the same; and in default of such written acceptance and agreement, the permit and grant of location shall be void. Such permit and grant shall likewise be void and deemed revoked unless within six months after the filing of such acceptance and agreement of all the ducts, conduits, manholes and other fixtures shall have been constructed and completed, and unless within six months after such completion the electric lines shall be constructed and put in operation. Whenever the operation of the electric lines in any location granted shall be discontinued for six months, the permit and grant shall cease and be of no further effect.

SECTION 3. The city council having first given the person or corporation to whom such permit is granted opportunity to be heard may order that the location of any conduit, manhole, fixture, wire, or distributing pole, shall be changed whenever it may deem such change necessary, and shall grant a substitute location therefor. Whenever the position of any conduit, manhole, fixture, wire, or distributing pole is so ordered to be changed, such change shall be made by and at the expense of the owner, in conformity with the order, within thirty days after notice, and if not so changed, the commissioner of public works may cause such change to be made and the expense thereof shall be repaid to the city by the owner.

SECTION 4. Every petition presented to the city council for permission to lay conduits to contain wires for the transmission of electricity shall be accompanied by a plan showing the exact proposed location of each conduit, manhole and distributing pole. A plan showing the exact location of each conduit, manhole and distributing pole shall be made and filed with the commissioner of public works by the owner within twenty days after the construction of said conduits and a duplicate thereof shall be filed with the city clerk.

SECTION 5. Whenever the commissioner of public works shall so request, every person or corporation operating electric or other wires, ducts, conduits or manholes under any public way or place, shall within fifteen days furnish a plan, showing the particular location of all its ducts, conduits and manholes and the usage to which the respective ducts in said conduits are put, with specifications of the average volts charged, and current used, the tested strength, the kind and number of lamps or motors connected with any electrical circuit, and the other electrical appliances and in general the method of installation, operation, maintenance and repair. Said plan shall be in form and size to the satisfaction of the commissioner of public works.

SECTION 6. Every person or corporation owning, operating or leasing any wires, ducts, conduits, manholes, electrical structures or appliances under the surface of any street or way shall comply with all rules and requirements of the commissioner of public works, not inconsistent with the laws of the state, this ordinance or any amendments thereto with respect to the quality of wires, ducts, conduits, manholes, distributing poles, structures and other appliances and with respect to their installation, removal and repair, and shall, at all reasonable times, give to the supervisor of wires access to such wires, ducts, conduits, manholes, structures, appliances and apparatus.

All work of installation, changing or repairs shall be done in a thorough manner and to the satisfaction of the commissioner of public works.

SECTION 7. In every underground conduit one duct not less than three inches in diameter shall be reserved and maintained, free of charge, for the use of the fire alarm, police and other telegraph and telephone signal wires belonging to the city and used exclusively for municipal purposes, and the supervisor of wires shall be allowed at all reasonable times facilities and privileges in putting in, taking out or repairing the city's wires.

SECTION 8. The surface of a street, way or bridge shall not be disturbed for the purpose of laying, repairing, changing or removing lines, wires, conduits, or manholes, or erecting, altering or

removing, distributing or other poles or fixtures used for carrying electric lines or wires without a permit in writing from the commissioner of public works, indicating the time, manner and place of opening such street, and the time within which such work shall be completed. But this provision shall not be construed as requiring any permit for the opening of manholes for the purpose of drawing in, removing, or repairing wires, and cables. Whenever a manhole is open the person or corporation by whose authority the same is done shall place a suitable metallic guard rail around the opening, with a signal, at least one foot square, displayed therefrom. Whenever an opening is made in any public way or bridge for any of the purposes aforesaid, such public way or bridge shall be promptly restored by the person or corporation owning or operating the lines, wires, ducts, conduits, or manholes, or making such repairs, to a condition satisfactory to the commissioner of public works and the portion of the street, way or bridge so opened shall be kept and maintained in such condition by such person or corporation for one year thereafter; and if not immediately so restored, kept and maintained, said commissioner of public works may cause the same to be done at the expense of such person or corporation, without previous notice of the intention so to do.

SECTION 9. Such person or corporation in laying, repairing or removing its wires, or conduits, shall not disturb or in any way interfere with the gas or water pipes or sewers, or pipes therewith connected, nor with the wires, conduits, manholes or appliances of any other person or corporation.

SECTION 10. Whenever the city shall construct, enlarge, relocate, regrade, repair or alter the streets, ways or bridges, or the sewers, water pipes, or other public works, in streets, ways, and bridges where conduits and wires are laid, which in the opinion of the commissioner of public works require the removing or changing the location of said conduits, wires and the fixtures appertaining thereto, or the repairing thereof, said removing, changing and repairing shall be done without delay at the expense of the person or corporation owning or operating the same. If not immediately so removed, changed or repaired, the commissioner of public works

may cause such removal, change and repairs to be made, and the expense thereof shall be repaid to the city by the owner, without previous notice of the intention so to do.

And any change or relocation made by virtue of this section, shall have the full force and effect of a change or relocation made by virtue of Section 3.

SECTION 11. It shall be the duty of the commissioner of public works and he shall have the power to issue, subject to the usual conditions, all permits for opening and occupying the streets necessary to carry out the intent of this ordinance.

SECTION 12. The commissioner of public works shall have supervision of all wires under the streets and public places and of all conduits and other structures holding, supporting or containing such wires. Whenever any such wires, conduits or other structures are, in his judgment, unsuitable or unsafe, the person or corporation owning or operating the same shall immediately upon his request repair or replace the same to his satisfaction. If not immediately repaired or replaced he may cause such repairs or substitutions to be made without previous notice of the intention so to do and the expense thereof shall be repaid to the city by the owner. He may cause abandoned wires, conduits or other electrical structures to be removed.

SECTION 13. Upon the completion of a conduit in any public way or place the person or corporation owning, leasing or operating the same, shall forthwith remove from above the surface of such public way or place all wires, cables and conductors and all poles, or structures used in such way or place to support wires, cables and conductors, except when in the judgment of the commissioner of public works it is impracticable to remove such wires, cables, poles, conductors or structures. This section shall apply to long distance telephone wires and their supporting poles or structures; or to posts for the support of lamps exclusively or to poles used exclusively for local distribution from underground wires, cables or conductors. No wire shall be deemed a long distance telephone wire within the meaning of this section which is not connected with some central

telephone office in the city and which does not extend twenty-five miles at least in a direct line from such central office.

SECTION 14. Except as otherwise provided by law, whoever shall offend against or fail to comply with any of the provisions of this chapter shall for each and every offense forfeit and pay a penalty of not more than twenty dollars (\$20).

CHAPTER 23.

PROVIDING FOR THE IMPOUNDING AND KILLING OF CERTAIN DOGS.

SECTION 1. Any dog owned or kept in the city of North Adams and found running at large without collar, as prescribed in chapter 102, section 128 of the revised laws, or without a muzzle, if an order under the provisions of section 158 of said chapter be then in force, shall be impounded in some suitable place provided therefor, three days before being killed, unless by reason of disease or other sufficient cause it be deemed necessary by an officer having a warrant under said chapter 102 to kill such dog at once.

SECTION 2. The owner or keeper of any dog restrained as aforesaid may obtain possession thereof within said three days upon proving ownership and upon payment of all license fees then due upon said dog and upon payment of an additional fee of one dollar.

SECTION 3. All dogs not removed as aforesaid from said pound within three days of the time of impounding shall be killed.

SECTION 4. All police officers of the city are directed to capture and impound all dogs running at large as aforesaid.

Approved November 9, 1909.

LIST OF ACTS AND PARTS OF ACTS ACCEPTED BY THE
CITY OF NORTH ADAMS.

- 312 1893 An Act relating to the repair of private drains in streets or ways.
- 455 1894 An Act relating to the licensing of plumbers and the supervision of the business of plumbing.
- 74 1890 An Act in relation to the preservation of public health in cities.
- 481 1894 An Act relating to the inspection department of district police and the inspection of buildings. Sections 11 and 14 to 22 inclusive.
- 208 1898 An Act to provide for the appointment of constables in cities.
- 314 1896 An Act to provide for the appointing of a reserve police force in cities.
- 344 1899 An Act to make eight hours a day's work for city and town employees.
- 322 1901 An Act relative to the term of office of city clerks.
- 50 R.L. Of Betterments and other assessments, etc., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 23, 24, 25 and 26.
- 454 1903 An Act to provide for joint caucuses or primaries of all political and municipal parties. (Action revoked in 1904).
- 32 R. L. Section 81 relative to the pensioning of firemen.
- 373 1905 An Act relative to the term of office of municipal auditors.

LIST OF ACTS OF THE LEGISLATURE RELATING TO THE
CITY OF NORTH ADAMS.

- 148 1895 An Act to incorporate the city of North Adams.
- 197 1896 An Act to authorize the city of North Adams to issue bonds, notes or script for the purpose of acquiring land and of erecting public buildings thereon.
- 201 1896 An Act to authorize the city of North Adams to issue bonds for the purpose of completing its reservoir and for supplying the inhabitants of the city with pure water.

- 75 1897 An Act to authorize the city of North Adams to grade and pave its streets and to issue bonds or notes therefor.
- 75 1897 An Act to abolish the Board of Public Works of the city of North Adams and for other purposes.
- 123 1897 An Act to authorize the city of North Adams to issue bonds or notes for the purpose of acquiring land, erecting public school buildings thereon, constructing sewer and refunding its notes.
- 98 1898 An Act to provide for the purchasing of land for the State Normal School at North Adams.
- 106 1899 An Act to authorize the city of North Adams to refund its present indebtedness.
- 79 1899 A Resolve relating to the purchase of additional land for the use of the State Normal School at North Adams.
- 110 1900 An Act to authorize the city of North Adams to incur indebtedness for the construction and maintenance of sewers.
- 262 1900 An Act to change and establish the boundary lines between the city of North Adams and the town of Williamstown.
- 402 1900 An Act to authorize the city of North Adams to take land for a Public Park.
- 317 1903 An Act to authorize the city of North Adams to borrow money outside the debt limit, for the improvement of streets.
- 254 1904 An Act relative to the fire department of the city of North Adams.
- 398 1907 An Act to authorize the city of North Adams to make additional water loan.
- 80 1908 An Act relative to the issuing of evidence of indebtedness for water supply proposed for the city of North Adams. (Amending chapter 398 of the Acts of 1907).
- 241 1909 An Act relative to the tenure of office of the Chief of the Fire Department of the city of North Adams.
- 305 1909 An Act to authorize the city of North Adams to refund a part of its indebtedness.

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CITY OF NORTH ADAMS

IN THE YEAR NINETEEN HUNDRED AND TEN

AN ORDINANCE

AMENDING SECTION ONE OF CHAPTER FOUR OF THE REVISED
ORDINANCES OF 1909.

Be it ordained by the City Council of North Adams, as follows:

SECTION I. Section one of chapter four of the Revised Ordinances of 1909, is hereby amended by striking out the word "eighteen" and inserting in place thereof the word—nineteen—so as to read as follows :—Section I. A police department is hereby established, which shall consist of a chief of police, two captains and nineteen patrolmen, who shall severally be appointed by the mayor and who shall hold their respective offices during good behavior and until removed as provided by law. They shall under the regulations prescribed by the city council and such rules of discipline as may be prescribed by the mayor, perform all duties required of them as day and night police, in accordance with the ordinances of the city and the laws of the state.

Approved, October 5, 1910.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND ELEVEN.

AN ORDINANCE.

AMENDING SECTION ONE OF CHAPTER TWENTY-ONE OF THE
REVISED ORDINANCES OF 1909.

Be it ordained by the City Council of North Adams, as follows :

SECTION I. Section one of chapter twenty-one of the Revised Ordinances of 1909, is hereby amended by striking out the word "six" and inserting in place thereof the word—nine—so as to read as follows :—Section I. The Sealer of Weights and Measures shall be paid a salary of nine hundred dollars each year.

Approved, December 6, 1911.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND FOURTEEN.

AN ORDINANCE.

ESTABLISHING A TAX LIMIT.

Be it ordained by the City Council of North Adams, as follows :

SECTION I. The taxes assessed on property in the city of North Adams, exclusive of the state tax and other amounts assessed upon the city by the commonwealth, the county tax and sums required by law to be raised on account of the city debt, shall not in any year succeeding the passage of this ordinance, exceed twelve dollars on every one thousand dollars of the average of the assessors' valuation of the taxable property for the preceding three years, such valuation being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment.

Approved, March 4, 1914.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND FIFTEEN

AN ORDINANCE

AMENDING CHAPTER THREE OF THE REVISED ORDINANCES OF 1909,
REFERRING TO TIME OF PAYMENT OF TAXES
AND INTEREST THEREON.

Be it ordained by the City Council of North Adams, as follows:

SECTION I. Chapter three of the Revised Ordinances of 1909, is hereby amended by striking out section six and inserting in place thereof the following:—SECTION 6. The collector of taxes shall mail the tax bills or notices to residents and non-residents assessed for real or personal property, as soon as possible after the tax lists and warrant are delivered to him by the assessors; and the bills or notices thereof shall be sent to all persons assessed for a poll tax only, on or before the second day of September in the year in which the poll tax is assessed. All taxes shall be due and payable not later than the fifteenth day of October of each year, and on all taxes remaining unpaid after the first day of November, interest shall be paid at the rate of ten per cent per annum, from the fifteenth day of October in the year in which they are assessed until such taxes are paid.

Approved July 7, 1915

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CITY OF NORTH ADAMS, MASS.
IN THE YEAR NINETEEN HUNDRED AND FIFTEEN.

AN ORDINANCE.

IN RELATION TO HAWKERS AND PEDLERS.

Be it ordained by the City Council of North Adams, as follows :

SECTION 1. No person except one engaged in the pursuit of agriculture shall go about from place to place within this city exposing for sale or selling, fruit or vegetables in or from any cart, wagon, or other vehicle, or in any manner, without a license therefor from the Board of Health, or from the Commissioner of Weights and Measures of the Commonwealth.

SECTION 2. The board of health shall have authority to grant or revoke all licenses provided for in this ordinance, and said licenses shall expire one year from the date of issue, and the fee therefore shall be ten dollars, which shall be turned over to the city treasurer for the use of the city.

SECTION 3. Before a license is granted under this ordinance, the applicant shall present a certificate from the sealer of weights and measures of this city, stating that all weights, measures, balances, or other weighing or measuring devices intended to be used by the applicant in connection with the license for which application is made, has been tested and sealed by him.

SECTION 4. No hawker or pedler shall sell, offer, or expose for sale, any of the articles enumerated in section 15 of chapter 65 of the Revised Laws or acts in amendment thereof or in addition thereto, except newspapers and ice, until he has recorded his name and residence with the board of health.

SECTION 5. Every hawker and pedler licensed as aforesaid shall be assigned a number, and shall have his name and number conspicuously displayed upon his vehicle in letters not less than two inches in height.

SECTION 6. No person hawking, peddling or carrying or exposing for sale any of the articles enumerated in said section 15, chapter 65 of the Revised Laws as amended, shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the city, nor shall carry or convey such articles in any manner that will tend to injure or disturb the public health or comfort nor otherwise than in vehicles and receptacles which are neat and clean and do not leak; and said vehicles shall at all times be subject to inspection by the board of health or its agent.

SECTION 7. Nothing in this ordinance shall be construed as conflicting with any license issued under authority of The Commonwealth.

SECTION 8. Whoever violates any provision of this ordinance shall be punished by a fine not exceeding twenty dollars for each offence.

SECTION 9. Any ordinance, or parts of ordinances, inconsistent herewith are hereby repealed.

Approved, September 10, 1915.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND FIFTEEN

AN ORDINANCE

AMENDING CHAPTER FIVE OF THE REVISED ORDINANCES OF 1909

(Relating to the Fire Department)

Be it ordained by the City Council of North Adams, as follows:

SECTION I. Section one of chapter five of the Revised Ordinances of 1909, is hereby amended by striking out section one and inserting in place thereof the following:—Section I. The fire department shall consist of a chief engineer, and a deputy chief engineer who shall be a permanent fireman in addition to the permanent men hereinafter mentioned; one hose company consisting of a captain, a lieutenant, two permanent men and eight call men; one hose company consisting of a captain, a lieutenant, three permanent men and eight call men; one hose company consisting of a captain, a lieutenant, three permanent men and seven call men; a hook and ladder company consisting of a captain, a lieutenant, two permanent men and five call men; a hose and hook and ladder company at Braytonville, so called, to consist of a captain, a lieutenant, and thirteen call men; and a hose company at Blackinton, so called, to consist of a captain, a lieutenant, and ten call men; who shall severally be appointed by the mayor, and who, except the chief engineer, shall hold their respective offices during good behavior and until removed according to law. The members of the fire department shall, under the regulations prescribed by the city council, and such rules of discipline as may be prescribed by the mayor perform all duties required of them in accordance with the ordinances of the city and the laws of the state.

Approved, January 1, 1916.

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CITY OF NORTH ADAMS, MASS.
IN THE YEAR NINETEEN HUNDRED AND SIXTEEN.

AN ORDINANCE.

AMENDING AN ORDINANCE IN RELATION TO HAWKERS AND PEDLERS.

Be it ordained by the City Council of North Adams, as follows:

SECTION 1. Section one of an ordinance in relation to hawkers and pedlers, approved September 10, 1915, is hereby amended by inserting after the word "selling", the word-fish-so as to read as follows :—Section 1. No person except one engaged in the pursuit of agriculture shall go about from place to place within this city exposing for sale or selling, fish, fruit or vegetables in or from any cart, wagon, or other vehicle, or in any manner, without a license therefor from the Board of Health, or from the Commissioner of Weights and Measures of the Commonwealth.

SECTION 2. Section two of said ordinance is hereby amended by striking out said section and inserting in place thereof the following :—Section 2. The board of health shall have authority to grant, to any person of good repute for morals and integrity who is, or has declared his intention to become a citizen of the United States, all licenses provided for in this ordinance and may revoke the same ; said licenses shall expire one year from the date of issue, and the fee therefor shall be ten dollars, which shall be turned over to the city treasurer for the use of the city.

SECTION 3. Section four of said ordinance is hereby amended by inserting after the word "pedler", the words—or other person—so as to read as follows :—Section 4. No hawker or pedler or other person shall sell, offer, or expose for sale, any of the articles enumerated in section 15 of chapter 65 of the Revised Laws or acts in amendment thereof or in addition thereto, except newspapers and ice, until he has recorded his name and residence with the board of health.

SECTION 4. Section five of said ordinance is hereby amended by striking out after the word "pedler", the words, "licensed as aforesaid ", and inserting in place thereof, the words—and other person named in Section 4,—so as to read as follows :—Section 5. Every hawker and pedler and other person, named in Section 4, shall be assigned a number, and shall have his name and number conspicuously displayed upon his vehicle in letters not less than two inches in height.

Approved, July 6, 1916

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND SIXTEEN

AN ORDINANCE

AMENDING SECTION TWO OF CHAPTER FIVE OF THE REVISED
ORDINANCES OF 1909.

(Relating to the Fire Department)

Be it ordained by the City Council of North Adams, as follows :

SECTION I. Section two of chapter five of the Revised Ordinances of 1909, is hereby amended by striking out the word "twelve" in the second line of the first paragraph, and inserting in place thereof the word—fifteen—, so that said section will read as follows :—Section 2. The salary of the Chief of the Fire Department shall be fifteen hundred dollars per annum.

The salaries of the members of said companies at Braytonville and Blackinton shall be as follows : Captains, fifteen dollars, Lieutenants, twelve dollars, and call men, ten dollars, each per annum.

Approved, December 23, 1916.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND SEVENTEEN

AN ORDINANCE

AMENDING SECTION TWENTY-TWO OF CHAPTER TWELVE OF THE
REVISED ORDINANCES OF 1909

(In relation to the sale of Fireworks and Firecrackers)

Be it ordained by the City Council of North Adams, as follows :

SECTION I. Section twenty-two of chapter twelve of the Revised Ordinances of 1909 is hereby amended by adding at the end thereof the following :—And no person shall give away, sell, or offer for sale, or have in his possession with intent to sell, within the city, any fireworks or firecrackers : provided, however, that for the purpose of any public celebration, the mayor may, in his discretion, authorize the granting of permits for the sale of fireworks and firecrackers during a designated period of time,—so as to read as follows:—Section 22. No person shall set fire to any rocket, cracker, squib, serpent, or other fireworks or make any bonfire in any street, lane, highway, public square, or common in the city without permission from the mayor. And no person shall give away, sell, or offer for sale, or have in his possession with intent to sell, within the city, any fireworks or firecrackers : provided, however, that for the purpose of any public celebration, the mayor may, in his discretion, authorize the granting of permits for the sale of fireworks and firecrackers during a designated period of time.

Approved, June 28, 1917.

University of Illinois

CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND SEVENTEEN

AN ORDINANCE

AMENDING SECTION TWENTY-TWO OF CHAPTER TWELVE OF THE
REVISED ORDINANCES OF 1909

(In relation to the sale of Fireworks and Firecrackers)

Be it ordained by the City Council of North Adams, as follows :

SECTION I. Section twenty-two of chapter twelve of the Revised Ordinances of 1909 is hereby amended by adding at the end thereof the following :—And no person shall give away, sell, or offer for sale, or have in his possession with intent to sell, within the city, any fireworks or firecrackers : provided, however, that for the purpose of any public celebration, the mayor may, in his discretion, authorize the granting of permits for the sale of fireworks and firecrackers during a designated period of time,—so as to read as follows :—Section 22. No person shall set fire to any rocket, cracker, squib, serpent, or other fireworks or make any bonfire in any street, lane, highway, public square, or common in the city without permission from the mayor. And no person shall give away, sell, or offer for sale, or have in his possession with intent to sell, within the city, any fireworks or firecrackers : provided, however, that for the purpose of any public celebration, the mayor may, in his discretion, authorize the granting of permits for the sale of fireworks and firecrackers during a designated period of time.

Approved, June 28, 1917.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND SEVENTEEN

AN ORDINANCE

AMENDING SECTIONS 38, 39 AND 40, OF CHAPTER 12 OF THE
REVISED ORDINANCES OF 1909

(In relation to removal of snow and ice from sidewalks)

Be it Ordained by the City Council of North Adams, as follows:

SECTION 1. Section thirty-eight of chapter twelve of the Revised Ordinances of 1909 is hereby amended by striking out the word "eighteen" and inserting in place thereof the word — twelve —, so as to read as follows: SECTION 38. The tenant, occupant, and in case there be no tenant, the owner or person having the care of any estate abutting upon any street, lane, court or square within the city where there is a sidewalk which now is or may hereafter be established or set apart as such, shall, after the ceasing to fall of any snow thereon, within twelve hours cause the same to be removed therefrom.

SECTION 2. Section thirty-nine of said chapter is hereby amended by striking out the word "eighteen" and inserting in place thereof the word — twelve — so as to read as follows: SECTION 39. Whenever any snow shall be collected or deposited upon any sidewalk mentioned in the preceding section, either by falling from some adjoining building or by drifting upon said sidewalk, the tenant, occupant and in case there be no tenant, the owner or person having charge of the estate abutting upon said sidewalk, shall within twelve hours after its being so collected or deposited cause the same to be removed therefrom.

SECTION 3. Section forty of said chapter is hereby amended by striking out the whole of said section and inserting in place thereof the following: SECTION 40. Whenever any sidewalk shall be encumbered with snow or ice contrary to the provisions of the two preceding sections, it shall be the duty of the chief of police to notify or cause to be notified the tenant or occupant, or in case there be no occupant, the owner or person having the care of the estate abutting thereon, to cause such sidewalk to be made safe and convenient for travel by removing the snow, and as far as practicable, the ice therefrom, within six hours from the time of receiving such notice.

Whoever violates any of the provisions of this or the two preceding sections shall forfeit the sum of ten dollars for each offence, which may be recovered on complaint before the District Court.

Whenever the party or parties whose duty it is to remove such snow or ice in accordance with this section shall neglect to do so for the period named, it shall be the duty of the commissioner of public works to cause the same to be removed and to enforce the forfeiture herein provided.

Approved November 10, 1917.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND SEVENTEEN

AN ORDINANCE

AMENDING SECTION ONE OF CHAPTER TWELVE OF THE
REVISED ORDINANCES OF 1909

Be it Ordained by the City Council of North Adams, as follows:

SECTION 1. Section one of chapter twelve of the Revised Ordinances of 1909, is hereby amended by adding at the end thereof: — and shall give bond with sureties satisfactory to the commissioner of public works, in a sum not less than \$1,000 for the faithful performance of said agreement.

Approved, November 17, 1917.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND SEVENTEEN

AN ORDINANCE

AMENDING SECTION TWO OF CHAPTER SEVENTEEN OF THE
REVISED ORDINANCES OF 1909

(Relative to Salary of Inspector of Wires)

Be it Ordained by the City Council of North Adams, as follows:

SECTION 1. Section two of chapter seventeen of the Revised Ordinances of 1909, is hereby amended by striking out the words "one thousand", and inserting in place thereof the words — twelve hundred and fifty, — so as to read as follows : SECTION 2. Such inspector shall give his whole time to the city, and for all services shall be paid twelve hundred and fifty dollars each year.

Approved December 5, 1917.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND SEVENTEEN

AN ORDINANCE

AMENDING SECTION ONE OF CHAPTER TWENTY-ONE OF THE
REVISED ORDINANCES OF 1909

(In relation to Salary of Sealer of Weights and Measures)

Be it Ordained by the City Council of North Adams, as follows:

SECTION 1. Section one of chapter twenty-one of the Revised Ordinances of 1909, as amended by an ordinance approved December 6, 1911, is hereby further amended by striking out the word "nine" and inserting in place thereof the word — eleven — so as to read as follows: SECTION 1. The Sealer of Weights and Measures shall be paid a salary of eleven hundred dollars each year.

Approved December 5, 1917.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND NINETEEN.

AN ORDINANCE

FIXING A TAX LIMIT.

Be it ordained by the City Council of North Adams, as follows:

SECTION I. Section one of an Ordinance Establishing a Tax Limit, approved, March 4, 1914, is hereby amended by striking out the word "twelve" and inserting in place thereof the word—fifteen—, so as to read as follows : Section 1. The taxes assessed on property in the city of North Adams, exclusive of the state tax and other amounts assessed upon the city by the commonwealth, the county tax and sums required by law to be raised on account of the city debt, shall not in any year succeeding the passage of this ordinance, exceed fifteen dollars on every one thousand dollars of the average of the assessors' valuation of the taxable property for the preceding three years, such valuation being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment.

Approved, March 18, 1919.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND NINETEEN

AN ORDINANCE

AMENDING CHAPTER FOUR OF THE REVISED ORDINANCES OF 1909.

(Relating to the Police Department)

Be it ordained by the City Council of North Adams, as follows :

SECTION 1. Section one of chapter four of the Revised Ordinances of 1909, as amended by an ordinance approved October 5, 1910, is hereby further amended by striking out the word "nineteen" and inserting in place thereof the word —twenty-one— so as to read as follows :—Section 1. A police department is hereby established, which shall consist of a chief of police, two captains and twenty-one patrolmen, who shall severally be appointed by the mayor and who shall hold their respective offices during good behavior and until removed as provided by law. They shall under the regulations prescribed by the city council and such rules of discipline as may be prescribed by the mayor, perform all duties required of them as day and night police, in accordance with the ordinances of the city and the laws of the state.

Approved, August 12, 1919.

OF THE
UNIVERSITY OF ILLINOIS

CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND NINETEEN

AN ORDINANCE

AMENDING CHAPTER FIVE OF THE REVISED ORDINANCES OF 1909.

(Relating to the Fire Department)

Be it ordained by the City Council of North Adams, as follows :

SECTION 1. Section one of chapter five of the Revised Ordinances of 1909, as amended by an ordinance approved January 1, 1916, is hereby further amended by striking out section one and inserting in place thereof the following :—Section 1. The fire department shall consist of a chief engineer, and a deputy chief engineer who shall be a permanent fireman in addition to the permanent men hereinafter mentioned ; one hose company consisting of a captain, a lieutenant, five permanent men and five call men ; one hose company consisting of a captain, a lieutenant, three permanent men and seven call men ; one hose company consisting of a captain, a lieutenant, three permanent men and seven call men ; a hook and ladder company consisting of a captain, a lieutenant, four permanent men and four call men ; a hose and hook and ladder company at Braytonville, so called, to consist of a captain, a lieutenant, and thirteen call men ; and a hose company at Blackinton, so called, to consist of a captain, a lieutenant, and ten call men ; who shall severally be appointed by the mayor, and who, except the chief engineer, shall hold their respective offices during good behavior and until removed according to law. The members of the fire department shall, under the regulations prescribed by the city council, and such rules of discipline as may be prescribed by the mayor, perform all duties required of them in accordance with the ordinances of the city and the laws of the state.

SECTION 2. This ordinance shall take effect on the first day of December, 1919.

Approved, August 12, 1919.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND NINETEEN

AN ORDINANCE

AMENDING SECTION ONE OF CHAPTER TWENTY-ONE OF THE
REVISED ORDINANCES OF 1909.

(In relation to Salary of Sealer of Weights and Measures)

Be it Ordained by the City Council of North Adams, as follows :

SECTION 1. Section one of chapter twenty-one of the Revised Ordinances of 1909, as amended by an ordinance approved December 6, 1911, and an ordinance approved December 5, 1917, is hereby further amended by striking out the word "eleven" and inserting in place thereof the word — thirteen — so as to read as follows :
SECTION 1. The Sealer of Weights and Measures shall be paid a salary of thirteen hundred dollars each year.

Approved, December 3, 1919.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND NINETEEN

AN ORDINANCE

AMENDING SECTION ONE OF CHAPTER TWENTY-ONE OF THE
REVISED ORDINANCES OF 1909.

(In relation to Salary of Sealer of Weights and Measures)

Be it Ordained by the City Council of North Adams, as follows :

SECTION 1. Section one of chapter twenty-one of the Revised Ordinances of 1909, as amended by an ordinance approved December 6, 1911, by an ordinance approved December 5, 1917, and an ordinance approved December 3, 1919, is hereby further amended by striking out the word "thirteen" and inserting in place thereof the word — sixteen — and by striking out the words "each year" and inserting in place thereof the words — for and during the municipal year 1920 — so as to read as follows : SECTION 1. The Sealer of Weights and Measures shall be paid a salary of sixteen hundred dollars for and during the municipal year 1920.

Approved February 20, 1920.

OF THE
UNIVERSITY OF ILLINOIS

CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND TWENTY

AN ORDINANCE

AMENDING SECTION TWO OF CHAPTER SEVENTEEN OF THE

REVISED ORDINANCES OF 1909

(In relation to Salary of Inspector of Wires)

Be it Ordained by the City Council of North Adams, as follows :

SECTION 1. Section two of chapter seventeen of the Revised Ordinances of 1909, as amended by an ordinance approved December 5, 1917, is hereby further amended by striking out the words "twelve hundred and fifty" and inserting in place thereof the words —at the rate of eighteen hundred and twenty-five—and by striking out the words "each year" and inserting in place thereof the words —for and during the municipal year 1920—so as to read as follows :
Section 2. Such Inspector shall give his whole time to the city, and for all services shall be paid at the rate of eighteen hundred and twenty-five dollars for and during the municipal year 1920.

Approved May 11, 1920.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND TWENTY-ONE.

AN ORDINANCE

AMENDING SECTION 17 OF CHAPTER 5 OF THE REVISED
ORDINANCES OF 1909.

(In relation to reserve space at Fire Hydrants.)

Be it ordained by the City Council of North Adams, as follows:

SECTION 1. Section seventeen of Chapter 5 of the Revised Ordinances of 1909 is hereby amended by inserting after the word "fire" in the twelfth line, the words—or permit any vehicle to stand within an area of seven feet on each side of a fire hydrant; reserved space at hydrants on paved streets shall be marked by a white line at right angles to the curb at a distance of seven feet each side of hydrants—so as to read as follows:—Section 17. In case of fire, the fire department, its officers and members, with their horses, machines and equipment, shall have the right of way in the public streets and ways of the city, as against all other persons, vehicles, or animals, and no person shall hinder or obstruct them in the free passage therein, nor drive over any hose, belonging to the fire department, with any carriage or other vehicle or remove, injure or in any manner disturb the members thereof, their horses, machines, hose or equipment, when stationed, located, or laid in any street, except under direction of the officer in command thereof. No person shall cause any vehicle or animal to be hitched, or stand in front of any hose house or place where fire apparatus is kept for use at a fire or permit any vehicle to stand within an area of seven feet on each side of a fire hydrant; reserved space at hydrants on paved streets shall be marked by a white line at right angles to the curb at a distance of seven feet each side of hydrants. Any person violating the provisions of this section shall be punished by a fine not exceeding twenty dollars (\$20).

Approved June 7, 1921.

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CITY OF NORTH ADAMS, MASS.
IN THE YEAR NINETEEN HUNDRED AND TWENTY-ONE.

AN ORDINANCE

CREATING A PLANNING BOARD

Be it ordained by the City Council of North Adams, as follows:

SECTION 1. A city planning board to consist of the Mayor, and the President of the city council, who shall be members thereof ex-officio and five other citizens of the city of North Adams who shall be appointed by the mayor subject to confirmation by the city council, is hereby created. During the month of January, the mayor shall appoint five citizens not connected with the city government as members of said board to hold office for the terms of one, two, three, four, and five years, respectively from the first day of February, nineteen hundred twenty-two. Thereafter during the month of January in each year, the mayor shall appoint one citizen as a member of said board, subject to confirmation by the city council, to hold office for the term of five years from the first day of February following. A vacancy occurring in the board shall be filled by appointment by the mayor, subject to confirmation by the city council for any unexpired term.

SECTION 2. The members of said board shall serve without remuneration. Said board may make rules for the conduct of its business, choose its chairman and secretary and hold such meetings as it may deem proper and necessary. It may expend such sums of money for expert and clerical assistance and other purposes as the city council may authorize from time to time. It may require any officer, department head or commissioner of the city to furnish such information, records, reports, statistics, or other data within his or its knowledge as will assist the planning board in the performance of its duties.

SECTION 3. It shall be the duty of this board, so far as is not inconsistent with other laws or ordinances, to prepare or have prepared a comprehensive plan for the alteration, construction, and development of the city's works and buildings either in reference to the whole city or any section thereof, and in so doing shall be guided by considerations of public safety, health, beauty, utility, convenience, and the future of the city; also the establishment of such building lines as it may deem proper and the establishment of such zones as it may deem proper. It may also plan and recommend in any matter affecting the resources or needs of the city whenever it may be requested to do so by the city council or when in the judgment of said board it may be wise and proper so to do.

SECTION 4. It shall further be the duty of this board to make careful study of the resources, possibilities, and needs of the city of North Adams with respect to conditions which may be injurious to public health or otherwise injurious in and about rented dwellings and to make plans for the development of the city with special reference to proper housing of its people.

SECTION 5. Said board shall prepare and keep on file such reports, maps, plans, etc., as shall illustrate its plans and recommendations. During the month of December in each year it shall make a report of its findings, plans and recommendations to the city council and it may make such report of its plans and recommendations at such other times as it may deem necessary or if otherwise required to do so.

Approved, December 17, 1921.

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CITY OF NORTH ADAMS, MASS.
IN THE YEAR NINETEEN HUNDRED AND TWENTY-TWO.

AN ORDINANCE.

RELATIVE TO PERMITTING VEHICLES TO STAND OR WAIT
ON CERTAIN STREETS.

Be it ordained by the City Council of North Adams, as follows :

SECTION 1. No owner or driver or other person having the charge or control of any vehicle shall permit such vehicle to stand or wait on Bank Street between Main and Summer Streets, on Eagle Street between Main and Union Streets, on East side of Holden Street between Main and Center Streets, on East side of Marshall Street between Main and Center Streets, and on Main Street between Holden Street and a corresponding point on the Southerly side of Main Street and ten feet east of a hydrant in front of the new Kimbell Building, so-called, and a corresponding point on the Southerly side of Main Street, except when discharging or receiving such persons, temporarily absent, or except when loading or discharging from a vehicle at which time such vehicle shall wait parallel with and close to the curb.

SECTION 2. No owner or driver or other person having the charge or control of any vehicle shall permit such vehicle to stand or wait on Main Street or any portion not herein provided for, for a period more than one hour in any three hours, at which time such vehicle shall park facing away from the curb at an angle of forty-five degrees.

These provisions shall not be applicable to physicians while in service during office hours or on professional calls.

SECTION 3. Whoever shall offend against, or fail to comply with any of the provisions of this ordinance, shall for each and every offence forfeit and pay a penalty of not less than two dollars (\$2) nor more than twenty dollars (\$20).

Approved, May 3, 1922.

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CITY OF NORTH ADAMS, MASS.
IN THE YEAR NINETEEN HUNDRED AND TWENTY-TWO

INTERIM ZONING ORDINANCE
ESTABLISHING CERTAIN BUILDING DISTRICTS

*Be it ordained by the City Council of the City of North Adams,
as follows :*

SECTION 1. The City of North Adams is hereby divided into zones or districts to be known respectively as Residence Districts and Non-residence Districts, as follows :

Non-residence Districts shall comprise (1) all lands which at the time this ordinance goes into effect are used for any business or industry other than farming, truck gardening, the growing of trees, shrubs, vines or plants, the raising of animals, and the conduct of a boarding or lodging house, and (2) all lands located and fronting upon any section of any street which lies between the outer lines of two successive intersecting streets and in which not less than one-half of the ground floor frontage on each side of said street is at said time devoted to business or industry or is manifestly intended to be so used.

Residence Districts shall comprise all areas not included in Non-residence Districts.

SECTION 2. Except as hereinafter provided no parcel of land lying in a Residence District and not at said time devoted to any business or industry, other than those specified in section one, shall hereafter be used therefor, and no permit shall be issued for the erection, alteration or conversion of any building for or to such use upon any such parcel.

SECTION 3. A permit may be issued for the erection in a Residence District of a building for the purpose of any business or industry, or for the alteration or conversion of a building in such district for or to such purposes, provided that there be filed with the application for such permit written consents thereto signed and acknowledged by the owners or legal representatives of the owners of not less than three-fourths of all lands used for other than business or industrial purposes, which front on the same side of the street and which lie between the two intersecting streets nearest to and on either side of the land in question or within four hundred feet on either side thereof in case the nearest intersecting street is more than that distance therefrom, and also of all lands fronting upon the other side of the street and directly opposite said land, and all lands immediately in the rear thereof ; or provided further that after public hearing on the application the City Council may order that such permit shall be issued.

SECTION 4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Approved, September 16, 1922.

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CITY OF NORTH ADAMS, MASS.
IN THE YEAR NINETEEN HUNDRED AND TWENTY-TWO
AN ORDINANCE.

AMENDING AN ORDINANCE IN RELATION TO HAWKERS AND PEDLERS.

Be it ordained by the City Council of North Adams, as follows:

SECTION 1. Section 2 of an ordinance in relation to hawkers and pedlers, approved September 10, 1915, as amended by an ordinance approved July 6, 1916, is hereby further amended by striking out the word "ten" and inserting in place thereof the word - twenty-five -, so as to read as follows: Section 2. The board of health shall have authority to grant to any person of good repute for morals and integrity who is, or has declared his intentions to become a citizen of the United States, all licenses provided for in this ordinance and may revoke the same; said licenses shall expire one year from date of issue, and the fee therefor shall be twenty-five dollars, which shall be turned over to the city treasurer for the use of the city.

Approved, October 4, 1922.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND TWENTY-TWO

AN ORDINANCE.

AMENDING CHAPTER FIVE OF THE REVISED ORDINANCES OF 1909.

(Relating to the Fire Department)

Be it ordained by the City Council of North Adams, as follows:

SECTION 1. Section one of chapter five of the Revised Ordinances of 1909, as amended by an ordinance approved January 1, 1916, and an ordinance approved August 12, 1919, is hereby further amended by striking out said section one and inserting in place thereof the following :—Section 1. The fire department shall consist of a chief engineer, and a deputy chief engineer who shall be a permanent fireman in addition to the permanent men hereinafter mentioned ; eighteen permanent men ; four captains, four lieutenants and nineteen other call men ; a hose and hook and ladder company at Braytonville, so called, to consist of a captain, a lieutenant, and thirteen call men ; and a hose company at Blackinton, so called, to consist of a captain, a lieutenant, and ten call men ; who shall severally be appointed by the mayor, and who except the chief engineer, shall hold their respective offices during good behavior and until removed according to law. The members of the fire department shall, under the regulations prescribed by the city council, and such rules of discipline as may be prescribed by the mayor, perform all duties required of them in accordance with the ordinances of the city and the laws of the state.

Approved, November 17, 1922.

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IN THE YEAR NINETEEN HUNDRED AND TWENTY-THREE

AN ORDINANCE

AMENDING CHAPTER FIVE OF THE REVISED ORDINANCES OF 1909.

(Relating to the Fire Department)

Be it ordained by the City Council of North Adams, as follows :

SECTION 1. Section one of chapter five of the Revised Ordinances of 1909, as amended by ordinances approved January 1, 1916, August 12, 1919, and November 17, 1922, is hereby further amended by striking out said section one and inserting in place thereof the following :
Section 1. The fire department shall consist of a chief engineer, and a deputy chief engineer who shall be a permanent fireman in addition to the permanent men hereinafter mentioned ; not more than twenty-four permanent men ; three captains, three lieutenants and sixteen other call men ; and a hose company at Blackinton, so called, to consist of a captain, a lieutenant, and ten call men ; who shall severally be appointed by the mayor, and who except the chief engineer, shall hold their respective offices during good behavior and until removed according to law. The members of the fire department shall, under the regulations prescribed by the city council, and such rules of discipline as may be prescribed by the mayor, perform all duties required of them in accordance with the ordinances of the city and the laws of the state.

Approved, February 7, 1923.

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CITY OF NORTH ADAMS, MASS.
IN THE YEAR NINETEEN HUNDRED AND TWENTY-THREE

AN ORDINANCE

AMENDING "AN ORDINANCE RELATIVE TO PERMITTING VEHICLES TO STAND OR WAIT ON CERTAIN STREETS."

Be it ordained by the City Council of North Adams, as follows:

SECTION 1. Section one of said ordinance is hereby amended by striking out the whole of said section and inserting in place thereof the following:— Section 1. No owner or driver or other person having the charge or control of any vehicle shall on Saturdays between the hours of 9 o'clock in the morning and 9 o'clock at night and all other days except Sundays between the hours of 9 o'clock in the morning and 6 o'clock at night, permit such vehicle to stand or wait on ~~Main Street~~ ^{the Library} ~~University of the~~ ^{between Main and Summer Streets,} between Main and Union Streets, on the east side of Holden Street between Main and Center Streets, on the east side of Marshall Street between Main and Center Streets, and on Main Street, between Holden Street, and a corresponding point, on the southerly side of Main Street and ten feet east of a hydrant in front of the New Kimbell Building, so called, and a corresponding point on the southerly side of Main Street except when discharging or receiving such persons, reasonably absent temporarily, or except when loading or discharging from a vehicle at which time such vehicle shall wait parallel with and close to the curb.

SECTION 2. Section two of said ordinance is hereby amended by inserting after the word "shall" in the second line the words—on Saturday between the hours of 9 o'clock in the morning and 9 o'clock at night and all other days except Sundays between the hours of 9 o'clock in the morning and 6 o'clock at night—and by striking out after the word "facing" in the fifth line, the words "away from" and inserting in place thereof the word,—toward—and by adding at the end of said section the words,—nor, except in the restricted area, to any person, firm or corporation engaged exclusively in the business of passenger vehicles for hire. No person, firm or corporation shall allow or permit to stand or wait on any street more than one such vehicle—so that said section will read as follows: Section 2. No owner or driver or other person having the charge or control of any vehicle shall on Saturday between the hours of 9 o'clock in the morning and 9 o'clock at night and all other days except Sundays between the hours of 9 o'clock in the morning and 6 o'clock at night permit such vehicle to stand or wait on Main Street or any portion not herein provided for, for a period more than one hour in any three hours at which time such vehicle shall park facing toward the curb and at an angle of forty-five degrees.

These provisions shall not be applicable to physicians while in service during office hours or on professional calls, nor, except in the restricted area, to any person, firm or corporation engaged exclusively in the business of passenger vehicles for hire. No person, firm or corporation shall allow or permit to stand or wait on any street more than one such vehicle.

Approved, October 3, 1923.

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CITY OF NORTH ADAMS, MASS.

IN THE YEAR NINETEEN HUNDRED AND TWENTY-FOUR

AN ORDINANCE

FIXING A TAX LIMIT

Be it ordained by the City Council of North Adams, as follows:

SECTION 1. Section one of "An Ordinance Establishing a Tax Limit," approved March 4, 1914, as amended by an ordinance approved March 18, 1919, and an ordinance approved March 25, 1920, is hereby further amended by striking out the word "twenty" and inserting in place thereof the word—twenty-one—so as to read as follows: Section 1. The taxes assessed on property in the city of North Adams, exclusive of the state tax and other amounts assessed upon the city by the commonwealth, the county tax and sums required by law to be raised on account of the city debt, shall not in any year succeeding the passage of this ordinance, exceed twenty-one dollars on every one thousand dollars of the average of the assessors' valuation of the taxable property for the preceding three years, such valuation being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment.

Approved, March 15, 1924.

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